

9241. Also, petition of American Legion Post, No. 376, of Rothsay, Minn., numbering 43 members, favoring cash payment of bonus; to the Committee on Ways and Means.

9242. Also, petition of Charles C. Winter, Edwin Aasen, and nine other residents of Roseau County, urging enactment of provision to pay adjusted-compensation certificates in cash; to the Committee on Ways and Means.

9243. Also, petition of Hendrum Cooperative Creamery Association, Hendrum, Minn., at their annual meeting, urging enactment of Brigham bill (H. R. 15934) to levy a 10-cent tax on colored oleomargarine by unbleached palm oil; to the Committee on Agriculture.

9244. By Mr. SHREVE: Petition of 28 members of Colonel Lytle Post, No. 7, Women's Relief Corps, Albion, Pa., for support of a World War veterans' bill giving pensions to the widows and orphans and the chronically disabled; to the Committee on World War Veterans' Legislation.

9245. Also, petition of Dora E. Hutchings, secretary, and a number of members of Oakley K. Cobb Auxiliary, No. 567, American Legion, Albion, Pa., for World War veterans' legislation giving pensions to the widows and orphans and to the chronically disabled; also a bill to provide hospitalization for all veterans; to the Committee on World War Veterans' Legislation.

9246. By Mr. SPARKS: Petition of a special meeting of the Woman's Christian Temperance Union of Hays, Kans., for the Federal supervision of motion pictures, as provided in the Grant Hudson motion picture bill, H. R. 9986; to the Committee on Interstate and Foreign Commerce.

9247. Also, petition of 19 members at a regular meeting of the Covert Community Young Women's Christian Association, of Covert, Kans., for the Federal supervision of motion pictures as provided in the Grant Hudson motion picture bill, H. R. 9986; to the Committee on Interstate and Foreign Commerce.

9248. Also, petition of Woman's Christian Temperance Union of Lincoln, Kans., for the Federal supervision of motion pictures, as provided in the Grant Hudson motion picture bill, H. R. 9986; to the Committee on Interstate and Foreign Commerce.

9249. By Mr. SULLIVAN of Pennsylvania: Protest of Grace S. Munhall, as governor of the Pennsylvania Chapter, International Federation of Catholic Alumnae, to Senate bill 4582, amending the tariff act and Criminal Code; to the Committee on the Judiciary.

9250. By Mr. TEMPLE: Petition of James R. Hunt Post, No. 639, American Legion, Claysville, Pa., favoring the payment of adjusted compensation in full immediately; to the Committee on Ways and Means.

9251. By Mr. WATSON: Petition of ex-service men and citizens of Pottstown, Pa., and vicinity, urging the immediate payment to veterans of the World War the cash value of their adjusted-service certificates; to the Committee on Ways and Means.

9252. Also, petition of residents of Bucks County, Pa., urging support of Sparks-Capper bill, alien representation amendment; to the Committee on the Judiciary.

9253. By Mr. WYANT: Petition of First Savings & Trust Co., of Derry, and Vandergrift Savings & Trust Co., Vandergrift, Pa., opposing cash payment of adjusted-service certificates; to the Committee on Ways and Means.

9254. Also, petition of Trafford Post, No. 331, the American Legion, Trafford, Pa., urging cash payment as of 1945 at this time of adjusted-service certificates; to the Committee on Ways and Means.

9255. Also, petition of Rev. W. V. Barnhart, pastor of the First United Brethren Church, of Latrobe, Pa., urging support of Sparks-Capper amendment eliminating approximately 7,500,000 unnaturalized aliens in proposed congressional reapportionment; to the Committee on the Judiciary.

9256. Also, petition of Emma E. Walter Union of the Women's Christian Temperance Union, of West Newton, Pa. (50 members), urging support of Sparks-Capper amendment eliminating approximately 7,500,000 unnaturalized aliens in proposed congressional reapportionment; to the Committee on the Judiciary.

## SENATE

TUESDAY, FEBRUARY 10, 1931

(Legislative day of Monday, January 26, 1931)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

### MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 1533. An act to authorize the Secretary of the Interior to adjust payment of charges due on the Blackfeet Indian irrigation project, and for other purposes;

S. 4211. An act to amend the act entitled "An act to provide for the elimination of the Michigan Avenue grade crossing in the District of Columbia, and for other purposes," approved March 3, 1927;

S. 4307. An act to authorize the Commissioners of the District of Columbia to compromise and settle a certain suit at law resulting from the forfeiting of the contract of the Commercial Coal Co. with the District of Columbia in 1916;

S. 4551. An act to amend an act entitled "An act to establish a Code of Law for the District of Columbia," approved March 3, 1901, and the acts amendatory thereof and supplemental thereto;

H. R. 5627. An act relating to the naturalization of certain aliens; and

H. R. 10166. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works at Philadelphia, Pa., and for other purposes.

### BAY OF SAN FRANCISCO BRIDGE

The VICE PRESIDENT. The Senator from Wisconsin [Mr. LA FOLLETTE] has the floor.

Mr. JOHNSON. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from California?

Mr. LA FOLLETTE. I yield.

Mr. JOHNSON. From the Committee on Commerce I report favorably, with amendments, the bill (S. 5825) granting the consent of Congress to the State of California to construct, maintain, and operate a toll bridge across the Bay of San Francisco from the Rincon Hill district in San Francisco, by way of Goat Island, to Oakland over the Key Route Mole, and I submit a report (No. 1562) thereon. I ask unanimous consent for the immediate consideration of the bill. I will state to the Senator from Wisconsin and the Senator from Utah [Mr. Smoot] that all the departments agree and approve. The commission appointed by the President of the United States and the State of California met and have approved. The bill is the result of their joint efforts.

The VICE PRESIDENT. Is there objection?

Mr. SMOOT. I have no objection if it does not lead to discussion.

There being no objection, the Senate proceeded to consider the bill. The amendment was, on page 2, line 23, before the word "years," to strike out "20" and insert "40," so as to make the bill read:

*Be it enacted, etc.,* That the consent of Congress is hereby granted to the State of California to construct, maintain, and operate a bridge and approaches thereto across the Bay of San Francisco at a point suitable to the interests of navigation, at or near the general site from Rincon Hill, in the city and county of San Francisco, to and across Goat Island, in San Francisco Bay, thence to Oakland, in the county of Alameda, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act: *Provided*, That permission for such bridge to cross the Government reservations on Goat Island shall first be obtained from the Secretaries of War, Navy, and Commerce: *Provided further*, That if any buildings, improvements, or facilities on such Government reservations are damaged or destroyed by the construction of said bridge they shall be repaired or replaced by the State of



California on a site or sites acceptable to the respective head of the department having jurisdiction over the property involved.

SEC. 2. If tolls are charged for the use of such bridge, the rates of toll shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed 40 years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the costs of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved, and the United States shall incur no liability of any kind whatsoever for the alteration, amendment, or repeal thereof.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting the consent of Congress to the State of California to construct, maintain, and operate a toll bridge across the Bay of San Francisco from the Rincon Hill district in San Francisco by way of Goat Island to Oakland."

#### CALL OF THE ROLL

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. Does the Senator from Wisconsin yield for that purpose?

Mr. LA FOLLETTE. I yield.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Fess	King	Schall
Barkley	Fletcher	La Follette	Sheppard
Bingham	Frazier	McGill	Shipstead
Black	George	McKellar	Shortridge
Blaine	Gillett	McMaster	Smith
Blease	Glass	McNary	Smoot
Borah	Glenn	Metcalf	Steiwer
Bratton	Goff	Morrison	Stephens
Brock	Goldsborough	Morrow	Swanson
Brookhart	Gould	Moses	Thomas, Idaho
Broussard	Hale	Norbeck	Thomas, Okla.
Bulkeley	Harris	Norris	Townsend
Capper	Harrison	Nye	Trammell
Caraway	Hatfield	Oddie	Tydings
Carey	Hawes	Partridge	Vandenberg
Connally	Hayden	Patterson	Wagner
Copeland	Hebert	Phipps	Walcott
Couzens	Heflin	Pine	Walsh, Mass.
Cutting	Howell	Pittman	Walsh, Mont.
Dale	Johnson	Ransdell	Waterman
Davis	Jones	Reed	Watson
Deneen	Kean	Robinson, Ark.	Wheeler
Dill	Kendrick	Robinson, Ind.	Williamson

Mr. TOWNSEND. I desire to announce that my colleague the senior Senator from Delaware [Mr. HASTINGS] is unavoidably detained from the Senate. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Ninety-two Senators have answered to their names. A quorum is present.

#### PETITIONS AND MEMORIALS

Mr. TYDINGS presented a resolution unanimously adopted by Baltimore & Ohio Railroad Post, No. 81, the American Legion, of Baltimore, Md., favoring the adoption of the relief program for ex-service men passed by the American Legion at its Boston (Mass.) convention, which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of Snow Hill, Md., praying for the prompt ratification of the World Court protocols, which was referred to the Committee on Foreign Relations.

Mr. GILLETT presented petitions numerous signed by sundry citizens of the State of Massachusetts, praying for the passage of legislation for the exemption of dogs from vivisection in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. COPELAND presented petitions of sundry citizens of Rochester and vicinity, in the State of New York, praying for the passage of legislation withdrawing War Department aid to compulsory military training in the high schools and colleges of the country, which were referred to the Committee on Military Affairs.

Mr. CAPPER presented petitions numerous signed by sundry citizens of Hays, Nicherson, Hillsboro, Goessel, Newton, Almena, and Calvert, all in the State of Kansas, praying for the prompt ratification of the World Court protocols, which were referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Pittsburg, Kans., praying for the passage of legislation providing for the immediate cash payment at full face value of adjusted-service certificates of ex-service men, which was referred to the Committee on Finance.

He also presented a resolution adopted by Earl F. Shirkey Post, No. 155, the American Legion, of Beattie, Kans., favoring the passage of legislation for the early payment to World War veterans of at least 80 per cent of their adjusted-service credit, which was referred to the Committee on Finance.

He also presented petitions numerous signed by sundry citizens of Arkansas City, Kans., praying for the passage of legislation imposing a tariff on crude petroleum, which were referred to the Committee on Finance.

He also presented a resolution adopted by Carpenters' Union No. 1587, of Hutchinson, Kans., favoring the passage of legislation placing an embargo on crude oil and its by-products, which was ordered to lie on the table.

He also presented a resolution adopted by the Kaw Valley Holstein Breeders' Association, of Basehor, Kans., favoring the passage of legislation imposing a tax on colored oleomargarine, which was ordered to lie on the table.

He also presented petitions numerous signed by sundry citizens of Ellsworth County, Kans., praying for the passage of legislation placing an embargo on the importation of crude petroleum, which were ordered to lie on the table.

#### BIRTH CONTROL

Mr. COPELAND. Mr. President, I have a letter from the Brooklyn Catholic Big Sisters protesting against the birth control bill. I ask that this short letter may be printed in the RECORD and referred to the Judiciary Committee.

There being no objection, the letter was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

BROOKLYN, N. Y., February 6, 1931.

HON. ROYAL S. COPELAND,  
58 Central Park West, New York City.

MY DEAR MR. COPELAND: This organization is opposed to Senate bill 4582, to amend tariff act (1930) and Penal Code to permit importation, distribution, and sale of contraceptive literature and instruments on the following grounds: The great danger this proposed legislation is to the public health and morals, especially to our youth, the increase in obscenity which will result if Federal restriction is removed, and the spread of immoral literature which will result from it.

Kindly have our protest printed in CONGRESSIONAL RECORD.

Very truly yours,

BROOKLYN CATHOLIC BIG SISTERS (INC.),  
HELEN MCCORMICK, President.

#### CONTROL OF CRIME ON HIGHWAYS

Mr. BROOKHART presented the following concurrent resolution of the Legislature of the State of Iowa, which was referred to the Committee on the Judiciary:

House Concurrent Resolution 10. (By Mr. Ellsworth)

Whereas the State of Iowa has through the acts of its general assembly from time to time complied with the conditions of the "Federal road aid act" and has in conformity thereto designated portions of the primary road system as Federal highways; and

Whereas the State of Iowa has similarly, and from time to time, provided for the improvement of both primary roads and secondary roads for the use of rural postal service, and has provided for the designation of such roads as "rural post roads"; and

Whereas the improvement of such roads and highways has aided lawbreaking and encouraged crime to an extent that a serious emergency exists and State and local law-enforcement organizations are unable to cope with the situation; and

Whereas it is the policy and the duty of the Federal Government to cooperate in the control and prevention of violence and crime



in an emergency, and it already has efficiently organized facilities for doing so: Therefore be it

*Resolved by the house (the senate concurring).* That in this serious emergency created by organized crime the State should have the aid and cooperation of the Federal Government and the Federal law-enforcement agencies already existing, and we ask congressional legislation that will bring early relief in this extremity; and be it further

*Resolved,* That this resolution be transmitted to the United States Senators and the Members of Congress from Iowa.

I hereby certify that this resolution is a true and correct copy of the original known as House Concurrent Resolution No. 10, adopted by the house on February 3, and concurred in by the senate on February 4, 1931.

SAM C. REGAN,

Chief Clerk of the House, Forty-fourth General Assembly.

Dated February 7, 1931.

#### ROAD IN THE QUINAUT INDIAN RESERVATION, WASH.

Mr. DILL. Mr. President, I present House Joint Memorial No. 2 of the legislature of my State, which I ask may be printed in the RECORD and appropriately referred.

There being no objection, the joint memorial was referred to the Committee on Indian Affairs and ordered to be printed in the RECORD, as follows:

#### House Joint Memorial 2

To the Honorable the Senate and House of Representatives of the United States of America in Congress Assembled:

We, your memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, most respectfully represent and petition your honorable body as follows:

Whereas the Quinault Indian Reservation, set aside by the United States Government for the exclusive use and right of the Quinault, Queets, Hoh, and Quillayute Indian Tribes, contains some 169,000 acres of timberland on which there is 3,000,000,000 feet of merchantable tax-free timber; that this large area has no roads of any consequence; that fishing is the principal industry of these Indians; that this area is entirely within Grays Harbor and Jefferson Counties; that these counties and the State of Washington are carrying on an extensive road-building program; that these roads are now constructed to Moclips on the south, or southern boundary of the Quinault Indian Reservation, to the Queets River on the north or northern boundary of said reservation; that the four Indian tribes named herein have appealed to Grays Harbor and Jefferson Counties and to the State of Washington for their assistance in the construction of a road from Moclips and joining at that point with the Grays Harbor County beach highway to a point on the Queets River, a distance of approximately 25 miles, near the Queets Indian village and joining State Road No. 9 at that point; that we, your memorialists, feel that these Indians are wards of the United States Government and that as all this proposed road lies within the Quinault Indian Reservation and will materially benefit these Indians the burden of expense in the construction of such a road should be borne by the United States Government: Therefore

*Be it resolved by the Legislature of the State of Washington,* That the attention of Congress be called to the urgent need of the early construction of this highway, and of its material benefit to the unemployed at this time. Further, that a highway following the Pacific coast shore line will eventually be a link of the coastal or marine drive known as the Roosevelt Highway; be it further

*Resolved,* That this memorial be immediately forwarded to the State of Washington's Senators and Representatives in Congress and the Commissioner of Indian Affairs at Washington, D. C.

Passed the house January 30, 1931.

EDWIN J. TEMPLETON,  
Speaker of the House.

Passed the senate February 2, 1931.

JOHN A. GELLATLY,  
President of the Senate.

#### REPORTS OF COMMITTEES

Mr. WALSH of Montana, from the Committee on Public Lands and Surveys, to which was referred the bill (H. R. 3820) to amend section 1 of the act entitled "An act to provide for stock-raising homesteads, and for other purposes," approved December 29, 1916, reported it with amendments and submitted a report (No. 1563) thereon.

He also, from the same committee, to which was referred the bill (H. R. 11820) to authorize issuance of a patent for certain lands to J. R. Murphy, reported it without amendment and submitted a report (No. 1564) thereon.

Mr. NORBECK, from the Committee on Agriculture and Forestry, to which was referred the bill (H. R. 9599) to authorize the Secretary of Agriculture to carry out his 10-year cooperative program for the eradication, suppression, or bringing under control of predatory and other wild animals injurious to agriculture, horticulture, forestry, ani-

mal husbandry, wild game, and other interests, and for the suppression of rabies and tularemia in predatory or other wild animals, and for other purposes, reported it without amendment and submitted a report (No. 1565) thereon.

Mr. PHIPPS, from the Committee on Irrigation and Reclamation, to which was referred the bill (S. 5981) authorizing the sale of surplus power developed under the Grand Valley reclamation project, Colorado, reported it without amendment and submitted a report (No. 1566) thereon.

Mr. BROCK, from the Committee on Claims, to which was referred the bill (S. 5219) for the relief of John A. Pierce, reported it with amendments and submitted a report (No. 1568) thereon.

He also, from the same committee, to which was referred the bill (H. R. 5926) for the relief of Lillian N. Lakin, reported it without amendment and submitted a report (No. 1567) thereon.

Mr. BROOKHART, from the Committee on Claims, to which was referred the bill (H. R. 10542) for the relief of John A. Arnold, reported it without amendment and submitted a report (No. 1569) thereon.

Mr. HOWELL, from the Committee on Claims, to which was referred the bill (H. R. 8583) for the relief of the State of Maine and the city of Portsmouth, N. H., reported it without amendment and submitted a report (No. 1570) thereon.

Mr. BLACK, from the Committee on Claims, to which was referred the bill (S. 5475) for the relief of the George C. Mansfield Co. and George D. Mansfield, reported it with amendments and submitted a report (No. 1571) thereon.

He also, from the same committee, to which was referred the bill (S. 5353) for the relief of Mrs. Herman M. Warr, reported it with an amendment and submitted a report (No. 1572) thereon.

He also, from the same committee, to which was referred the bill (S. 6072) for the relief of C. H. Price, reported it without amendment and submitted a report (No. 1573) thereon.

Mr. STEPHENS, from the Committee on Claims, to which was referred the bill (H. R. 10635) for the relief of the Robins Dry Dock & Repair Co., reported it without amendment and submitted a report (No. 1574) thereon.

Mr. CAPPER, from the Committee on the District of Columbia, to which was referred the joint resolution (H. J. Res. 404) to change the name of B Street NW. in the District of Columbia, reported it without amendment and submitted a report (No. 1575) thereon.

#### ENROLLED BILLS PRESENTED

Mr. PARTRIDGE, from the Committee on Enrolled Bills, reported that on to-day, February 10, 1931, that committee presented to the President of the United States the following enrolled bills:

S. 1533. An act to authorize the Secretary of the Interior to adjust payment of charges due on the Blackfeet Indian irrigation project, and for other purposes;

S. 4211. An act to amend the act entitled "An act to provide for the elimination of the Michigan Avenue grade crossing in the District of Columbia, and for other purposes," approved March 3, 1927;

S. 4307. An act to authorize the Commissioners of the District of Columbia to compromise and settle a certain suit at law resulting from the forfeiting of the contract of the Commercial Coal Co. with the District of Columbia in 1916; and

S. 4551. An act to amend an act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, and the acts amendatory thereof and supplemental thereto.

#### REPORTS OF NOMINATIONS

As in executive session,

Mr. BORAH, from the Committee on the Judiciary, reported favorably the following nominations, which were placed on the Executive Calendar:

Charles F. Parsons, of Hawaii, to be an associate justice of the Supreme Court, Territory of Hawaii;



Albert M. Cristy, of Hawaii, to be second judge, first circuit, Territory of Hawaii; and

D. Lawrence Groner, of Virginia, to be an associate justice of the Court of Appeals, District of Columbia.

Mr. PHIPPS, from the Committee on Post Offices and Post Roads, reported favorably sundry post-office nominations, which were placed on the Executive Calendar.

#### BILLS AND A JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ROBINSON of Arkansas:

A bill (S. 6106) to authorize the Leo N. Levi Memorial Hospital Association to mortgage its property in Hot Springs National Park; to the Committee on Public Lands and Surveys.

By Mr. ASHURST:

A bill (S. 6107) granting a pension to Thomas M. Tingren; and

A bill (S. 6108) granting an increase of pension to Edward M. Foltz; to the Committee on Pensions.

By Mr. BROUSSARD:

A bill (S. 6109) granting a pension to Dr. John B. Sewell; to the Committee on Pensions.

By Mr. JONES:

A bill (S. 6110) authorizing noncommissioned officers and officers' quarters at Camp Lewis, Wash.; to the Committee on Military Affairs.

By Mr. DILL:

A bill (S. 6111) for the relief of Fred Ferch; to the Committee on Claims.

By Mr. TYDINGS:

A bill (S. 6112) for the relief of Mary Robinson; to the Committee on Claims.

By Mr. JOHNSON:

A bill (S. 6113) for the relief of James M. Griffin, disbursing agent, United States Coast and Geodetic Survey, and for other purposes; to the Committee on Commerce.

By Mr. WAGNER:

A bill (S. 6114) to authorize the United States Shipping Board to sell certain property of the United States situated in the city of Hoboken, N. J., to the Port of New York Authority; to the Committee on Commerce.

By Mr. ROBINSON of Indiana:

A bill (S. 6115) to provide a 5-day week for employees of the Government Printing Office; to the Committee on Civil Service.

By Mr. HAYDEN:

A bill (S. 6116) to expedite the deportation of certain aliens, and for other purposes; to the Committee on Immigration.

By Mr. WALSH of Montana:

A bill (S. 6117) authorizing the issuance of a patent to certain lands in the State of Montana to Florence Kerr Facey; to the Committee on Public Lands and Surveys.

By Mr. BARKLEY:

A bill (S. 6118) authorizing the Dixie Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River and the Licking River at or near the junction of the Ohio and Licking Rivers to connect Cincinnati, Ohio, with Covington, Ky., and Newport, Ky.; to the Committee on Commerce.

By Mr. TRAMMELL:

A bill (S. 6119) to provide for an investigation and report of losses resulting from the campaign for the eradication of the Mediterranean fruit fly; to the Committee on Agriculture and Forestry.

By Mr. REED:

A bill (S. 6120) authorizing an appropriation of the sum of \$15,000 to defray the expenses of the Pan American Commercial Conference, to be held in Washington, D. C., in 1931; to the Committee on Foreign Relations.

By Mr. BROCK:

A bill (S. 6121) to authorize the acquisition of a tract of land at the Chickamauga and Chattanooga National Military Park, and for other purposes; to the Committee on Military Affairs.

By Mr. HATFIELD:

A bill (S. 6122) for the relief of John B. Canter; to the Committee on Claims.

By Mr. HOWELL:

A bill (S. 6123) for the relief of William Louis Pitthan (with accompanying papers); and

A bill (S. 6124) for the relief of S. F. Stacher (with accompanying papers); to the Committee on Claims.

By Mr. KING (by request):

A joint resolution (S. J. Res. 249) prohibiting diplomats or foreign sovereigns from claiming immunity from process under certain conditions; to the Committee on Foreign Relations.

#### AMENDMENT TO SECOND DEFICIENCY APPROPRIATION BILL

Mr. WAGNER submitted an amendment proposing to appropriate \$40,000 for the collection and publication of statistics of the volume of and changes in employment as required by law, including personal services in the District of Columbia, intended to be proposed by him to the second deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

#### CHANGE OF REFERENCE

On motion of Mr. JOHNSON, the Committee on Military Affairs was discharged from the further consideration of the bill (S. 6096) for the relief of certain blind persons disabled in the military or naval service of the United States, and it was referred to the Committee on Pensions.

#### EXECUTIVE MESSAGES

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

#### SECOND POLAR YEAR PROGRAM (S. DOC. NO. 270)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed with the illustration:

*To the Congress of the United States:*

I commend to the favorable consideration of the Congress the inclosed report from the Secretary of State, to the end that legislation may be enacted authorizing an appropriation of \$30,000 for participation by the United States Government in the Second Polar Year Program, August 1, 1932, to August 31, 1933.

HERBERT HOOVER.

THE WHITE HOUSE, February 10, 1931.

#### CONSERVATION OF OIL SUPPLY

Mr. GOLDSBOROUGH. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial appearing in the Washington Post of yesterday entitled "Barred by Treaty," dealing with the question of the conservation of the oil supply of the United States.

The VICE PRESIDENT. Without objection, it is so ordered.

The editorial is as follows:

[From the Washington Post, Monday, February 9, 1931]

#### BARRED BY TREATY

A bill proposing to limit imports of crude oil and to prohibit imports of refined oil is pending before the Senate. It is supported by influential petroleum producers and has been favorably reported by the Senate Committee on Commerce.

Congress can not enact this legislation without violating the Geneva convention for the abolition of import and export prohibitions, to which the United States is a party. This convention was approved by the Senate September 19, 1929, and proclaimed by President Hoover March 6, 1930.

The purpose of the United States in adhering to this treaty was to bring about the removal of restrictions and prohibitions against American commerce. The United States, on its part, pledges itself not to apply restrictions or prohibitions to imports. The essential portion of the treaty is as follows:

" \* \* \* The high contracting parties undertake to abolish within a period of six months from the date of the coming into force of the present convention, in so far as the respective territories of each of them are concerned, all import and export prohibitions or restrictions, and not thereafter to impose any such prohibitions or restrictions."

The signatories of the treaty are Germany, Austria, Belgium, Great Britain, Denmark, United States, France, Hungary, Italy, Japan, Luxemburg, Norway, Netherlands, Portugal, Rumania,



Switzerland, and Yugoslavia. Other nations have the right to accede to the convention.

Provision is made in the convention for arbitration of any dispute arising from the interpretation or application of the provisions of the convention. The convention extends for five years from the date it came into force.

The Capper bill proposing to limit and prohibit the importation of petroleum provides that during 1931, 1932, and 1933 the total importations of crude petroleum shall not exceed 16,000,000 barrels per year, and that the amount imported from each country shall be scaled down in proportion to the amount imported from that country in 1928. The bill provides that the importation of refined petroleum and fuel oil shall be entirely prohibited during the three years named.

Imports of crude petroleum and gasoline from the Dutch West Indies are entitled to entry under the treaty which abolishes restrictions and prohibitions. Yet the Capper bill would reduce by about three-fourths the import of crude petroleum and prohibit entirely the import of fuel oil and gasoline from the Dutch West Indies. These islands were the largest exporters of crude oil to the United States in 1928. Last year the imports of crude oil from the Dutch West Indies amounted to 9,780,219 barrels, and the imports of fuel and refined oils amounted to 22,000,000 barrels.

Venezuela is a heavy exporter of petroleum to the United States. Although that country does not appear to be a party to the Geneva convention, it would suffer gross and unprovoked injury by the proposed legislation, and undoubtedly would demand relief through arbitration. The United States would be unable to justify its action, either under international law or under the convention. In signing the convention the United States adhered to the preamble, which declares that "import and export restrictions, and the arbitrary practices and disguised discriminations to which they give rise, have had deplorable results;" and that "it is important for the recovery and future development of world trade that governments should abandon a policy which is equally injurious to their own and to the general interest;" and that "a return to the effective liberty of international commerce is one of the primary conditions of world prosperity."

A prohibition of imports is an embargo, which is essentially an unfriendly act, usually applied only in extreme cases for the purpose of exacting redress for grievances. It is unthinkable that the United States should declare an embargo upon imports from countries with which it is on terms of friendly intercourse.

The United States in ratifying the Geneva convention made the reservation "that the said convention affects neither the tariff systems nor the treaty-making methods of the participating countries."

The United States can impose a tariff duty upon crude or refined oil, but it can not apply restrictions or prohibitions under its treaty obligations. It is surprising that the members of the Senate Committee on Commerce have forgotten the fact that they voted only 18 months ago to ratify a treaty to abolish restrictions and prohibitions of imports and exports. The treaty was unanimously approved by the Senate.

#### FARM WOMEN IN RUSSIA

Mr. TRAMMELL. Mr. President, on yesterday a news dispatch appeared in different papers of the United States in regard to the women of Russia being forced to work or starve. I desire to have the article inserted in the RECORD at this point.

The VICE PRESIDENT. Without objection, it is so ordered.

The article is as follows:

#### FARM WOMEN MUST TOIL WITH MEN—AGRICULTURAL REORGANIZATION IS ORDERED—"LOAFERS" WARNED FOOD SUPPLY WILL BE CUT

Moscow, February 9 (I. N. S.)—A nation-wide reorganization of its agricultural labor forces and marshaling of every available hand in an effort to speed up productivity of its vast collective farms was ordered to-day by the soviet collective farm central committee here.

Standing squarely on a basis of "work or starve," the committee prescribed a definite amount of daily work to its 25,000,000 peasant members, specifying that women as well as men must bend their backs to harder toil.

In laying down the minimum requirements of labor expected of each farm hand, the committee went to great lengths to regulate all phases of agricultural activity on the collective farms. Members assigned to the horse plow, the decree provided, must plow a daily average of three-quarters of a hectare (approximately 2 acres); drivers of hay-mowing machines must daily cut 4 hectares (10 acres).

The committee warned "loafers" that food rations and wages henceforth will be given only on a basis of daily labor, and that those who did not work could not expect to eat.

#### INVESTIGATION BY THE TARIFF COMMISSION—METAL PENS

Mr. WAGNER. Mr. President, I send to the desk a resolution asking for an investigation by the Tariff Commission, and I ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from New York for that purpose?

Mr. LA FOLLETTE. Mr. President, I do not wish to lose the floor, and I would not want to yield for that purpose unless it is agreeable to the Senator from Utah [Mr. SMOOT], in charge of the pending appropriation bill.

Mr. SMOOT. I did not understand the request of the Senator from New York.

The VICE PRESIDENT. Let the resolution be reported for the information of the Senate.

The resolution (S. Res. 438) was read, as follows:

*Resolved*, That the United States Tariff Commission is hereby directed to investigate for the purposes of section 336 of the tariff act of 1930 differences between the domestic and foreign costs of production of the following articles: Pens of plain and carbon steel and wholly or in part of other metal.

The VICE PRESIDENT. Is there objection to the immediate consideration of the resolution?

Mr. SMOOT. I have no objection if it does not lead to any discussion.

There being no objection, the resolution was considered and agreed to.

#### INTERIOR DEPARTMENT APPROPRIATIONS—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes.

Mr. LA FOLLETTE. Mr. President, upon analysis the proposed amendment is not a compromise. It is an unconditional surrender. Three weeks ago the Senate, having been informed of conditions in the drought-stricken States and in the urban centers of the country, came to the conclusion that the ordinary measures of relief were inadequate, and by an overwhelming vote adopted the amendment offered by the senior Senator from Arkansas [Mr. ROBINSON] providing that \$25,000,000 should be appropriated to supplement and to extend the relief efforts being carried on in the cities and in the drought-stricken States. Now we are asked to turn our backs upon human suffering which exists in the agricultural sections and in the industrial centers of this country.

Mr. President, there is adequate testimony to support the contention that the situation in the drought-stricken States has never been equaled in our history. The widespread suffering caused by the unprecedented drought came after many years of agricultural distress in those communities. It found the citizens in those States in a condition which made it absolutely impossible for them to cope with the calamity. The evidence is likewise overwhelming that the urban centers are now suffering from a more serious economic crisis than has ever confronted the country. While it is true that we have not accurate statistics concerning the number of unemployed, I think it is conservative to estimate the total number of unemployed to be at least 6,000,000. Many reputable economists who have studied the situation place the total at a much higher figure.

Coupled with that, Mr. President, there is part-time employment; and, upon the basis of the letters received by the Senator from Massachusetts [Mr. WALSH] and myself from the mayors of over 300 cities, and also based upon the Metropolitan Life Insurance Co.'s survey, it is indicated that part-time employment is affecting at least an additional 5,000,000 workers. In many instances it is perfectly evident that the part-time employment is so meager that the worker enjoying such part-time employment is unable to support his family, and is, therefore, likewise in need of assistance from charitable organizations.

Now, I wish to refer to the language of the proposed compromise amendment. The first provision of it enables the Secretary of Agriculture to loan money upon the same terms as provided in Public Resolution No. 112—the so-called \$45,000,000 relief joint resolution—for the purpose of feeding livestock other than work stock.



In addition to that, the amendment provides—

The sum of \$20,000,000 to be used by the Secretary of Agriculture for the following purposes: (1) To make advances or loans to individuals in the drought and/or storm or hail stricken areas of the United States for the purpose of assisting in forming local agricultural-credit corporations, livestock loan companies, or like organizations, or of increasing the capital stock of such corporations, companies, or organizations, qualified to do business with Federal intermediate credit banks, or to which such privileges may be extended, and/or of making loans to individuals upon the security of the capital stock of such corporations, companies, or organizations; and (2) to make advances or loans to farmers for crop production for the crop of 1931 and for further agricultural rehabilitation in the drought and/or storm stricken or hail stricken areas of the United States. The advances and loans made pursuant to this act and amendment thereto shall be secured by liens on crops or by other security, under such rules and regulations as the Secretary of Agriculture may prescribe.

It is perfectly obvious that the terms of this proposed amendment provide only for extending relief to those who are in a position to furnish security, and therefore those most in need of relief, if this act shall be honestly and fairly administered, will be unable to obtain it. If they are able to furnish security by giving a lien upon their crops, or through notes or mortgages which the Secretary of Agriculture may determine a security, it is obvious that they are not in destitute circumstances; and yet the testimony coming from those who are familiar with conditions in the drought-stricken States indicates that there are literally thousands upon thousands of farmers who are unable to furnish security of any kind.

Mr. President, it has been claimed by many that the adoption of this amendment will enable the intermediate credit banks and other security organizations to step into the breach and relieve those who are in distress. That, in my judgment, will prove a false hope.

I wish to direct attention to the fact that the intermediate credit banks are not institutions prepared to take care of emergency situations. Their powers are prescribed by law and restricted by regulations. There is no authority either in law or in the regulations to permit the intermediate credit banks to provide for relief in this emergency. Whatever funds the intermediate credit banks have are procured by the sale of "readily marketable" debentures "supported by" the securities given by the borrowing farmers. Intermediate credit banks are rediscount institutions. They may discount or purchase "any note, draft, bill of exchange, or debenture," the proceeds of which have been used for agricultural purposes, provided such notes have been indorsed by some bank or other lending agency from which the intermediate credit banks are specifically authorized by law to purchase or rediscount paper.

The intermediate credit banks do not loan to individuals and they can not handle the paper of individual farmers unless and until it has been indorsed by some bank or lending corporation.

I wish to call attention to the statement in the regulations of the Federal Farm Loan Board in matters pertaining to the Federal intermediate credit banks under the title "Purpose and Policy," as follows:

Intermediate credit banks not emergency agencies. The intermediate credit banks were not created as emergency agencies. They can not, therefore, be expected to take, directly or indirectly, inadequately secured paper. They were intended by the law which brought them into existence to represent a permanent system of intermediate banking, to handle farm credits for a longer period than ordinarily may be extended by banks of deposit and falling short of the long-term farm loan, with maturities of not less than six months nor more than three years. Their permanence and usefulness are dependent upon making sound loans, because to procure their funds they must rely upon the ready marketability of debentures supported by these securities.

And on page 13 of the regulations, under the title "Adequacy of Securities," there is this statement:

The intermediate credit banks will rediscount farmers' or stockmen's notes, the proceeds of which have been used for an agricultural purpose, when supported by collateral or a satisfactory financial statement assuring liquidation of the loans within the maturities authorized by the act.

The collateral securing such notes should be self-liquidating within the period for which the loans may be made under the law. By "self-liquidating" is meant that the collateral in the ordinary and natural course of production and orderly marketing

may, at the end of such natural period, be sold for an amount sufficient to discharge the debt. The margin of security should be adequate to protect the banks during the full term of the loan.

It is thus perfectly evident, Mr. President, upon the reading of these regulations, that the intermediate-credit banks can not be of any assistance to those who are in need.

Mr. NORBECK. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from South Dakota?

Mr. LA FOLLETTE. I yield.

Mr. NORBECK. The Senator will recall that about 10 years ago Congress took up the question of what was the matter with the farmer, and decided, after spending about \$100,000 on an investigation, that he needed an opportunity to borrow more money. What grew out of it was the intermediate credit banks. We have had the intermediate credit bank system for 10 years, and the futility of it is well known to every farmer in the whole country. It was just farm relief joke No. 1; that is all.

Mr. LA FOLLETTE. I thank the Senator for his observation, because it is well known that he has given the farm-credit situation a great deal of study, but I felt it was necessary, may I say to the Senator, to point out that the intermediate credit banks can not function in this situation for the relief of those who are suffering most. To hold out that hope to these destitute farmers is only to tragically disappoint those who are in distress in the drought-stricken States.

Mr. NORBECK. I think the Senator might add that 10 years' experience has conclusively proven that they were not intended to function.

Mr. SHIPSTEAD. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Minnesota?

Mr. LA FOLLETTE. I yield.

Mr. SHIPSTEAD. I want to say, in reply to the Senator from South Dakota, that during the past 10 years we have not had the benefit of the sympathy of the Department of Agriculture as now guaranteed in the letter of the President.

Mr. NORBECK. Intermediate credit banks were one of the farm relief measures, it will be recalled, that both sides of the Senate grew quite enthusiastic about; there was no partisan difference on it; both sides favored relieving the farmer with this measure at the time.

Mr. LA FOLLETTE. I thank the Senator for his observation.

Mr. President, it will be perfectly obvious, in so far as the administration of the \$20,000,000 provided in the conference report provision is concerned, that those who are counting upon the assistance of the intermediate credit banks are bound to be disappointed. Under the law and regulations, which have the force of law, these institutions can not assist in the work of relief.

Mr. President, the second provision in this compromise amendment authorizes the Secretary of Agriculture to loan money directly to farmers. But what are the terms upon which he is to make those loans? The language is:

The advances and loans made pursuant to this act and amendment thereto shall be secured by liens on crops or by other security.

It is perfectly clear that under that language the Secretary of Agriculture would be derelict in his duty if he did not require security which would be reasonably expected to meet the obligation at the end of the period for which the loan is provided. Otherwise the Secretary of Agriculture must disregard the ordinary interpretation of the word "security." Either this law is to be administered by the Secretary of Agriculture without any regard to its provisions or it is a fraud upon those who are expecting relief.

In view of the situation which has existed in the administration of the \$45,000,000 fund, I do not feel that there is any foundation for the belief that the Secretary of Agriculture will feel free, under the terms of this amendment, to afford any relief to those who are without security, and who therefore are most in need of this assistance.

The Senator from Arkansas [Mr. ROBINSON] yesterday expressed the hope and stated that he had the under-



standing that the terms under which the \$45,000,000 fund is being administered were to be relaxed. But, Mr. President, under the terms of that law, which I point out are not amended by this conference report, the Secretary of Agriculture, under the joint resolution, is bound by this language:

A first lien on all crops growing or to be planted and grown during the year 1931 shall, in the discretion of the Secretary of Agriculture, be deemed sufficient security for such loan, advance, or sale.

I submit to any lawyer in this body that it is impossible for the Secretary of Agriculture, in administering this \$45,000,000 fund, to take any other security except a first lien upon the crop for 1931. Therefore, I can not share the hopeful expectation of the Senator from Arkansas that this \$45,000,000 is going to be so administered in the future that it will assist in this emergency situation in the drought-stricken States.

I want to read from the Washington Daily News of Monday a statement written by Mr. Robert W. Horton, a staff correspondent, concerning the manner in which these \$45,000,000 loans are being administered. If Senators will give attention to this article, they will see that the \$45,000,000 fund is utterly failing to provide relief to those who are in distress:

Relief in the "American way" was President Hoover's reply to criticism of his refusal to support Federal food loans to the destitute farmers of 21 States.

The President indicated that the self-respect of the hungry farmers and their families would be destroyed by a Federal food "dole." Mules, however, being presumably devoid of pride, would not be exposed to such a psychological calamity and therefore could with immunity be made beneficiaries under the \$45,000,000 feed, seed, and fertilizer appropriation approved by the President December 20.

This solicitude for the preservation of the farmers' character has not, however, been written into the regulations governing administration of the \$45,000,000 fund.

These all-important regulations were left to the discretion of Secretary of Agriculture Hyde, as is also the case in the prospective "compromise" addition of \$20,000,000 to the original appropriation.

Examination of these rules as printed on the loan application blanks has not brought an enthusiastic response from the farmers.

Now, mark this, Mr. President:

The farmer picks up his application blank eagerly. Here at last, he thinks, is the way out of one aspect of his bitter trouble. He looks at the top of the page and there, the first thing to greet his anxious eyes, is the law—a warning that he will be fined \$1,000 or jailed for six months, or both, if he violates the provisions of the application.

Next he sees a paragraph in which he is to insert the amount for which he applies, followed by a carefully itemized account of the exact total he will spend on each of the products which he raises plus the exact sum needed for tractor fuel and oil and work stock "for actual farming operations."

Mr. BORAH. Mr. President—

Mr. LA FOLLETTE. I yield to the Senator.

Mr. BORAH. I do not know that it has any particular bearing upon this matter, but by what authority does the Secretary of Agriculture make the violation of a regulation a criminal offense?

Mr. LA FOLLETTE. As I understand this article, section 2 of Public Resolution No. 112 is printed on the top of the blanks upon which the farmer makes application for loans; and the Senator will remember it provides that—

Any person who shall knowingly make any material false representation for the purpose of obtaining an advance, loan, or sale, or in assisting in obtaining such advance, loan, or sale, under this resolution, shall, upon conviction thereof, be punished by a fine of not exceeding \$1,000 or by imprisonment not exceeding six months, or both.

Mr. BORAH. I understand; but I understood that some of the regulations which the Secretary had established provided that their violation should constitute a criminal offense.

Mr. LA FOLLETTE. No; I think not.

Mr. BORAH. The crime is defined by the law itself?

Mr. LA FOLLETTE. Yes.

Mr. BORAH. I had understood that he had made the violation of some of these regulations an offense.

Mr. LA FOLLETTE. The statement is:

Examination of these rules as printed on the loan application blanks has not brought an enthusiastic response from the farmers.

The farmer picks up his application blank eagerly. Here at last, he thinks, is the way out of one aspect of his bitter trouble. He looks at the top of the page and there, the first thing to greet his anxious eyes, is the law—a warning that he will be fined \$1,000 or jailed for six months, or both, if he violates the provisions of the application.

Mr. BORAH. I misunderstood it.

Mr. LA FOLLETTE. I presume it is printed there for its psychological effect. Of course, the average farmer picking that up and reading it would be convinced that any violation of the regulations, as well as the law, would subject him to a thousand-dollar fine, or imprisonment for six months, or both. I might say that if I were a distressed farmer in Arkansas I think I would violate the regulation, because they are paying more per day for prisoners' food in Arkansas than the Red Cross is furnishing to destitute farmers.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield to the Senator from Minnesota.

Mr. SHIPSTEAD. Is it the Senator's idea that if the farmer uses for the purchase of food some of this money that he borrows, he would be violating the law?

Mr. LA FOLLETTE. Oh, clearly, because the interpretation of the Secretary of Agriculture places on the law does not permit it to be used for food purposes.

Mr. SHIPSTEAD. But the Senator from Arkansas [Mr. ROBINSON] says it includes more than food. Therefore, it must include food.

Mr. LA FOLLETTE. The Senator from Arkansas in that instance was referring to the provision contained in the conference report for an additional \$20,000,000 fund.

Mr. SHIPSTEAD. I understood the Senator to say that the law had not been changed by the conference report; that only the amount of money available would be increased.

Mr. LA FOLLETTE. The \$45,000,000 joint resolution is not proposed to be amended by this conference report, excepting that the Secretary of Agriculture is authorized, by an amendment to that joint resolution, to loan money for the feed of animals other than work stock.

Mr. SHIPSTEAD. Does that include people. [Laughter.]

Mr. LA FOLLETTE. Well, Mr. President, the Senator, of course, knows that the Secretary of Agriculture at least has not gone so far as to hold that farmers are stock.

Mr. SHIPSTEAD. Will the Senator permit me to ask him a further question? In order to put the question I want to have some matters cleared up.

Mr. LA FOLLETTE. I shall be glad to yield to the Senator.

Mr. SHIPSTEAD. The Senator from Arkansas [Mr. ROBINSON] yesterday, as I understood him, said that no one could get any of this money unless he had security.

Mr. BORAH. The law says that.

Mr. LA FOLLETTE. That is admitted, I think, by everyone.

Mr. SHIPSTEAD. But the Senator from Arkansas gave it as his opinion that when farmers borrow this money they can buy food with it.

Mr. LA FOLLETTE. It is his opinion that the terms of the amendment contained in the conference report will permit the loaning of this \$20,000,000 to individuals who are able to furnish security, and that the purpose for which the money is to be used is farm rehabilitation; and the Senator from Arkansas interprets it to mean that a man may borrow money under the \$20,000,000 provision in the conference report and then proceed to get some groceries with it.

Mr. SHIPSTEAD. If he has security?

Mr. LA FOLLETTE. If he has security.

Mr. SHIPSTEAD. And if he has security he does not need the sympathy of the Secretary of Agriculture. However, the man who has no security, if I understand what was said here yesterday, can not get any money. He will



have the sympathy of the Secretary of Agriculture, and will be taken care of by the Red Cross.

Mr. LA FOLLETTE. Unless he can furnish a lien or other security—that is the language of the proposed amendment—he will not be able to secure any of the benefits provided for the administration of this \$20,000,000.

Mr. SHIPSTEAD. He will have to be taken care of by the Red Cross?

Mr. LA FOLLETTE. Yes. That is his only hope.

Mr. COUZENS. Mr. President, will the Senator yield at that point?

Mr. LA FOLLETTE. Yes.

Mr. COUZENS. But the Red Cross will not furnish him any money for the purchase of seed or supplies for his stock. They will only furnish supplies for human relief, so that he is blocked in both directions if he wants anything for farm rehabilitation.

Mr. NORRIS. Mr. President, will the Senator yield to me?

Mr. LA FOLLETTE. I yield.

Mr. NORRIS. He will at least have the great pleasure of knowing that his application, although it may be rejected, will be very sympathetically considered.

Mr. COUZENS. The President says that, not the Secretary.

Mr. NORRIS. The President has been assured by the Secretary that they will give the farmer sympathy, anyway, even if he starves to death.

Mr. THOMAS of Oklahoma. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Oklahoma?

Mr. LA FOLLETTE. I yield.

Mr. THOMAS of Oklahoma. I hold in my hand a copy of the bunch of papers the farmer is confronted with when he makes application for one of these loans. The papers I have are only a part of them, however. After the rules and regulations have been presented and read, the next paper the farmer gets is an application blank. For some reason these are all printed on yellow paper. I do not exactly understand that.

I desire to call the attention of the Senate to the language in the application blank. The farmer has to sign this sort of a certificate:

I am unable to procure the aforementioned seed, fertilizer, feed, and/or fuel oil, and the failure to receive this loan will prevent me from farming in 1931.

I want to ask the Senator from Wisconsin if that statement is not in effect a pauper's oath or a pauper's declaration?

Mr. LA FOLLETTE. I do not see what other construction could be placed on it.

Mr. THOMAS of Oklahoma. If that is a fair interpretation and construction, the Secretary of Agriculture has promulgated rules and regulations which, in effect, require a farmer to sign and take a pauper's oath before he can even present his application for a loan.

Mr. LA FOLLETTE. That is true. I wish now to read further from this article. Referring to the farmer, it says:

#### NOTE, MORTGAGE, AND VOUCHER

He is then informed that his application must be accompanied by a promissory note, a chattel mortgage, and a voucher "form supplied by the Department of Agriculture and signed by the applicant."

He then states his age, whether he is married or single, the number of his children under 12 and the number over 12.

He is then asked the size of his farm, whether he has applied for a seed loan in 1929 or 1930; was it approved; how much; is it paid?

He must then inscribe upon this blank, which rivals an income-tax form (which he has doubtless never seen) a list of the mortgages on his land, together with the same information concerning land operated by tenants or rented by him.

Then comes one of the most difficult features of the application. The form tells him that he can not get a loan unless the mortgagees waive their rights under their mortgages on his crops.

Since these mortgages are very frequently held by banks, there is considerable doubt as to their right to waive—for the waiver results in an automatic conversion of the first mortgage into a second mortgage, with the Government having prior rights to the amount of its loan.

#### BARS OTHER LOANS

Another clause provides that no other loan can be placed on the crop mortgaged to the Government, even though the Federal lien may not be in the full amount of the crop's credit capacity.

Mark that; even if a man is making a loan which is less than the expected money yield of his crop, and therefore the loan made by the Government is more than amply secured, he can not secure another loan, even though there is a credit organization willing to grant him a further loan.

The farmer then has cash for seeds and feed, but no further security for a food loan. This condition alone, according to letters to Congressmen, has prevented hundreds of farmers applying for Federal money.

Well, the hungry farmer, with his family looking over his shoulder as he reads, gives up trying to figure out a solution for the difficulties in the mortgage section and goes on to where he is asked to itemize his entire indebtedness.

#### LISTS UNPAID TAXES

In the little table provided with dotted lines for this purpose he comes upon a bit of irony. Under the item "Unpaid taxes" are the four words "For how many years?" followed by the same four words after the item "Unpaid interest."

It doesn't hurt his pride that the Government takes for granted that he has been unable to pay interest and taxes for "how many years." He is used to that. Everyone knows it anyway.

#### TABLES TO FILL OUT

So he goes on and finds another table, in which he lists in detail his livestock and equipment, after which is still another neat table for itemizing the various crops he has raised in 1929 and 1930, together with the acres planted and the amount harvested.

But he is not through yet. He must now set down in the same detail the names of the dealers through whom he sells his crops.

#### MUST TAKE OATH

Then comes a note telling him that he must read what follows. He reads and finds he must swear not to use the money for anything but seed, feed, fertilizer, or tractor oil; to do his farming according to methods approved by the Department of Agriculture; to plant a garden "for home use and a sufficient acreage of feed to supply feed for my livestock"; to report average yield per acre from the subsidized seeds, etc.

So far the hungry farmer has gotten along with a fair amount of his pride still intact, but as he reads the last paragraph his attitude changes, for he there is virtually required to take the pauper's oath.

As the Senator from Oklahoma has just pointed out:

The Government won't take for granted that he is applying for the loan because he needs it. The Government demands that he certify that "because of encumbrances on my real estate and personal property and lack of funds I am unable to procure" help from any other source.

After he has filled out the application he must swear to it before obtaining limited relief in the "American way."

More from curiosity than anything else he glances at the rest of the form and sees that the committee appointed to pass on applications in his community must confirm his oath that he has the acreage he has claimed in the application; that he has the equipment to cultivate his farm; that the chances are that he will "make every effort to produce the crop and return the money loaned and that the Government is justified in making the loan to him."

The committee signs—

That is the committee in the farmer's community. Now, mark this:

The committee signs. But still the Government is not quite sure, so the application is passed on from community committee to a county committee. This group must certify that what the first committee has certified is true.

Next question: "What is his general reputation?"

And so it goes until the county committee has unwound its yardage of red tape and sent the application to the Government office either in Washington or Memphis, where once more the applicant's credentials and character are weighed and the relief granted or denied in the "American way."

I also want to read a dispatch from Paragould, Ark.:

PARAGOULD, ARK.—The farmer's cupboard will remain bare as far as the bankers in this section are concerned, if the Federal Government continues to make seed loans and take first mortgages on the crop as security. Banks are refusing to lend money to purchase food for the table because there is no security.

W. F. Kirsch, president of the National Bank of Commerce here, explained the stand of the bankers. He said:

"We are not making advances to farmers who are obtaining Federal seed loans. The Government takes a first mortgage on a borrower's crop, no matter whether he borrows the maximum or any fraction thereof. Banks will not take a second mortgage on crops."



In the Washington Daily News of to-day, the noon edition, there are two very interesting articles, and I want to read them, because I think the Senate should have the information that is available about the distressful conditions in the State of Arkansas.

MARIANNA, ARK.—Only 22 of the 5,500 farmers in Lee County have qualified thus far for Government seed loans, because of the stringent inflexible demands upon these impoverished folk.

Col. Elgan C. Robertson, executive vice president of the Lee County National Bank, and chairman of the local Red Cross and seed-loan committees, declares there are not six farmers in this locality who will not have to make some provision for purchasing food before the 1931 crop is harvested.

"The seed loans provide no food for the farmer and his livestock and lands are already mortgaged to the merchants who furnished him food last year," Colonel Robertson says. "The farmer has no prospect of obtaining food loans and the seed loan specifications are so binding serious complications will arise if a borrower diverts some of this loan to purchase food."

Practically every farmer receives his supplies each year from a "furnishing merchant" who collects when the harvest is made. Last year with only half a normal cotton crop and other crops blasted by drought, these merchants were "left holding the bag."

They can not borrow money to furnish supplies to the farmers this year. They hold mortgages on the farmers' livestock and land, but foreclosure would be of small benefit. One such merchant last year furnished \$80,000 worth of provisions to 400 families; now he is without credit because he can not liquidate the paper he holds for that amount.

Yet under the terms of the \$45,000,000 feed, seed, and fertilizer resolution the Government requires a merchant of this kind to waive his claim to liens upon these crops before the Government will extend any money under the provisions of this law.

"The farmers are looking to the merchants, not the Government, to help solve the food question," Colonel Robertson declares. "And the merchants are looking vainly in all directions for aid. If the merchants can arrange to carry these people, some 15,000 of the 18,942 persons receiving Red Cross aid will no longer need these free rations," Colonel Robertson says.

Lee County has a population of 26,000. Business leaders here, as in other sections of the famine area, agree that the problem would be solved if the Government included food loans with the seed loans.

Mr. President, I want to read another dispatch from Forrest City, Ark.:

FORREST CITY, ARK.—Intermediate credit banks and Federal seed loans are surrounded with so many restrictions they are not able to relieve the local situation, in the opinion of W. W. Campbell, president of the Bank of Eastern Arkansas.

"Only a very few farmers can offer enough acceptable collateral to be eligible for a seed loan," Campbell points out. "Besides," he says, "no provision is made for farmers getting food."

"All of the collateral is used in making a seed loan. They have nothing left to back a loan for food. To be of real service to St. Francis County planters, the seed loans must include provision for food and be more liberal in the matter of security. The Government takes a first mortgage on the entire crop, no matter how small the loan. Banks are prohibited by law to take a second mortgage. All other collateral, such as livestock and land, is already mortgaged because of last season's crop failures," Campbell says.

#### OPTIMISTIC OVER CROPS

"Nevertheless, local leaders are optimistic over crop prospects for 1931. They believe conditions will improve with a marked reduction in cotton acreage and a move toward more truck gardens and a vast increase in growing of soybeans, sorghum, and potatoes."

So much for the relief which is now being extended under the \$45,000,000 resolution. It is perfectly obvious that under the terms of that resolution even those who are in a position to offer security are having great difficulty in making any loans, and it goes without saying that those who are most in need of these loans, and are therefore unable to offer security, can not get any relief.

As I pointed out a few moments ago, in my judgment, under the terms of this proposed amendment in the conference report, the Secretary of Agriculture is required to insist upon liens or other security before he can make a loan. Therefore it goes without saying that this \$20,000,000 fund which it is now proposed to provide will not be available for those who are in distress and therefore unable to provide security.

The Senator from Arkansas places reliance on the letter of the President, and I want to read again that letter to the Senate:

MY DEAR MR. SENATOR: As to our conversation this morning, I am glad to confirm at once that the proposed additional drought-

relief measure was suggested for the purpose of real aid to the weakened credit situation in the drought area and that in the administration of it the Secretary of Agriculture assures me he has no other intention, and that he will interpret it fairly and sympathetically.

I admit that the language is ambiguous, but I submit that any fair interpretation of it means that the Secretary of Agriculture has only one intention, namely, to relieve the weakened credit condition in the drought area. The statement that he will interpret fairly and sympathetically is beside the point. It must be assumed, if the Executive gives his approval to an act of Congress by signing it, that the act will receive a fair and sympathetic interpretation. But under the terms of the President's letter it seems to me perfectly clear that he has received an assurance from the Secretary of Agriculture that he has no other intention than to relieve the weakened credit situation in the drought-stricken area. Of course, that does not mean direct loans to individual farmers. Certainly it does not mean direct loans to individual farmers for food purposes, and that is perfectly clear if in connection with this statement we read the terms of the proposed amendment to which I have already invited the attention of the Senate.

Mr. COPELAND. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from New York?

Mr. LA FOLLETTE. I do.

Mr. COPELAND. Granting the force of all the Senator has said, is it not probable, however, that if the loans are made to the farmers under the terms of the compromise a very considerable sum of money handled by the Red Cross will be used for individual relief, money which under other conditions would be used for the purchase of seed and other articles not for human consumption?

Mr. LA FOLLETTE. Is it the understanding of the Senator from New York that the Red Cross is furnishing seed for crops and feed for work animals?

Mr. COPELAND. That was the testimony of Judge Payne before the committee.

Mr. LA FOLLETTE. In connection with the Red Cross, which the Senator from Arkansas [Mr. ROBINSON] assures us is going to take care of the farmer who can not offer any security, I want to read a statement from this morning's Philadelphia Record. The headline is "Farmers Fight Starvation with 7 Cents a Day in Arkansas Drought Area." The dispatch is from Little Rock, Ark., and reads in part:

(By Andrew McClean Parker)

LITTLE ROCK, ARK., February 9.—Pulaski County, in which lies the town of Little Rock, allows 85 cents a day for feeding county prisoners.

Yet the Red Cross is doing its best to feed starving farmers, stricken by last summer's drought, for 7 cents a day. Even at that rate \$6,000,000 more will not supply these simple needs, officials here estimate. Arkansas is one of the 21 States in the drought-distress area.

Starving farmers and starving stock, drought following flood and tornadoes, bankrupt businesses and 150 bank failures have combined to open a problem here which is unequaled in the annals of American calamities.

The awful blight produced by the drought lacks the spectacular appeal of disaster created by fire, earthquake, or storm. It is more comparable to the insidious growth of cancer, developing slowly and leaving its victims paralyzed, helpless, and completely dependent upon the charity of a nation.

#### SIX HUNDRED THOUSAND ARE DESTITUTE

Of the 1,216,080 farm folk in Arkansas, 600,000 are destitute.

A graphic account of the acute suffering in the drought-stricken areas of Arkansas was contained in a letter written by a former Philadelphia woman and made public by the Red Cross here yesterday.

Mrs. Edwin C. Howe, wife of a faculty member of Ozark College, Clarksville, Ark., described the pitiful suffering of helpless thousands and urged the Southeastern Pennsylvania Red Cross Chapter to speed its drive for relief funds.

Conditions in Arkansas are as bad as "any famine in China ever was," the letter states. Mrs. Howe is the former Elizabeth Faries, and her letter was directed to Anne Faries, local Red Cross worker.

"Some of the children have dropped out of school because they have no clothes to wear," Mrs. Howe wrote. "Whole families are homeless, and are living in covered wagons. The need is as tragic as any I've seen in China."

Mr. President, I wish to call attention also to the fact that in the regulations promulgated by the Secretary of



Agriculture for the administration of the \$45,000,000 fund there is this provision:

No loans for seed, fertilizer, feed, and/or fuel and oil for tractors in 1931 will be made to any applicant in excess of \$2,000. The total amount of loans to the tenants of any one landowner in a single county shall not exceed the aggregate sum of \$2,000.

It is my information that through the territory most seriously affected the so-called tenant system prevails and that most of the plantations are of 500 acres or more. I have asked one who is familiar with agricultural operations in that section of the country to prepare for me a conservative estimate of the cost of crop production per acre. This is for cotton. He estimates food and medicine for the tenant, \$7; extra labor, hoeing, \$1; cottonseed, \$1; feed for mules, \$3; fertilizer, \$3; repairs, tools, harness, and so forth, \$1; total, \$16 per acre. On a 500-acre farm that would amount to \$8,000. Under the terms of the regulations, as I have just pointed out, no single plantation owner nor his tenants in the aggregate can obtain more than \$2,000. That is the maximum.

Under the terms of the two resolutions there will be available \$65,000,000 for the 21 drought-stricken States. According to the census of agriculture in Kentucky, Alabama, Mississippi, and Arkansas in 1924, the latest statistics available, there were 24,725,000 acres from which crops were harvested. On the basis of only \$10 per acre that would make a total of \$240,000,000 which would be necessary in order to finance the production of the crop for 1931. Even if the Senator from Arkansas is correct in stating that the maximum sum provided in the regulations to which I have just referred is to be raised, it is perfectly obvious that the total amount of the two appropriations will be utterly inadequate to finance the production of crops in the 21 States. Therefore, even if the Secretary of Agriculture relaxes his regulations and increases the limitations, the fact remains that he has only \$65,000,000 in the aggregate to loan, which is only a drop in the bucket in furnishing the necessary financing for the coming crop.

The Senator from Arkansas said that those who are unable to meet the requirements of the Secretary of Agriculture will have to look to the Red Cross. I have already quoted a dispatch showing how totally inadequate is the sum which the Red Cross is allowing for food. I also wish to direct attention to the fact that after 28 days of a drive for \$10,000,000 the Red Cross had on hand this morning only \$7,303,116. Even that ridiculously small amount has not been raised after 28 days of herculean effort.

Mr. President, if we accept the surrender which is provided in the conference report we will have done nothing to relieve those in the drought-stricken areas who are most in need of relief, because the loans are to be made only on the basis of security.

To accept the surrender means that the Congress will adjourn without providing one dollar to assist in relieving the distressful conditions which exist in the industrial centers of the country. With at least 6,000,000 totally unemployed, with another 5,000,000 on part time, it is a very conservative estimate to say that, with their dependents, at least 22,000,000 people are affected. To fail to provide any relief for this great group is a breach of faith with the American people.

It must be remembered that this is the second winter of unemployment. As shown in the survey which I presented to the Senate in the form of replies to a questionnaire from 303 cities scattered over 41 States of the country, it is evident that many communities have already exhausted the resources of voluntary contributions. To impose upon those cities at this time an additional drive for the Red Cross is to take relief from those in the urban centers who are in need of it in order to extend relief to those in the drought-stricken States.

I want to invite attention briefly to two telegrams placed in the RECORD by the Senator from Washington [Mr. JONES]. One of them was from the mayor of Tacoma, in which he said:

Red Cross national headquarters asking Tacoma for \$20,000 account relief Mississippi Valley famine. Is it not possible for the

United States Government through an emergency appropriation to take care of this relief, and is it possible Government placing cattle above human beings in relief activities? This district business conditions are such practically impossible for Red Cross chapter to raise this amount. Please advise immediately.

M. G. TENNENT, Mayor.

There was also a telegram from the mayor of Spokane, Wash., Mr. J. A. Ford, addressed to the Senator from Washington [Mr. JONES], reading as follows:

Red Cross, out of national fund of ten million, have called upon Spokane for \$20,000. We are already raising large sums to handle our own unemployment situation as well as all charities. Impossible at this time for Spokane to put on special campaign for Red Cross, as community chest campaign is now on and Red Cross is one of beneficiaries. Several of our business men suggest advisability in view of present national condition of Federal Government providing ten million needed for Red Cross. Will appreciate your advice as to feasibility of this idea.

J. A. FORD.

The junior Senator from Michigan [Mr. VANDENBERG] also placed some telegrams in the RECORD, one from Mr. R. H. Scott, of Lansing, Mich., which reads:

I do not think it possible for Michigan communities to raise funds for drought relief. Michigan suffering from unemployment and all agencies and individuals are being called on for immediate local relief.

He also presented a telegram from John P. Norton, of Escanaba, which reads:

Mayor of city, county officials, and myself feel that Michigan communities already overburdened caring for own unemployment and urge Federal appropriation to meet Red Cross emergency.

He also presented another telegram from Mr. R. Perry Shorts, of Saginaw, Mich., which reads as follows:

Think Saginaw can raise its Red Cross quota. Feel, however, that if Congress is going to provide anything for drought sufferers it should assume whole job, as local communities are all having difficulty in taking care of their own charity and unemployment problems.

The statements contained in those telegrams, Mr. President, were borne out by the replies from the mayors of 303 cities. As I stated, more than 170 of those mayors appealed for Federal aid, and pointed out in many instances that their resources for charitable purposes had been everburdened, and were nearly exhausted.

Mr. President, it has been argued in this controversy by those supporting the administration that the local communities should be called upon to take care of the unemployed. I for one can not see the logic of that argument, for two reasons: First, because if any governmental entity is responsible, or has had any share of responsibility in producing this economic crisis, then surely it is the Federal Government. The governments of the cities and the governments of the various States can not be said to have enacted legislation which has contributed to the present business depression. It is only the Federal Government, in enacting legislation affecting economic conditions in the country, which has any responsibility in this matter; and yet it is argued that Congress is the one governmental agency which should not afford any assistance in the existing crisis.

Secondly, Mr. President, to throw the entire burden upon the cities is to place it entirely upon real and tangible property. Those who derive their income from stocks and bonds and other forms of securities will go scot free. We leave it to their generosity to determine the amount of their contribution in meeting the demands of suffering and distress. Upon the homes of working men who are out of work, upon the little corner grocery and the small property owner the administration contends the entire burden should fall.

Mr. President, there has been much talk about a dole in the present situation, but up until this time I have not had anyone supporting the administration's policy explain to me the difference between a dollar appropriated by a city or a county or a State and a dollar appropriated out of the Federal Treasury. There is no great hue and cry by the President or his supporters against the cities appropriating money or the counties appropriating money out of their treasuries to relieve the distress occasioned by unemployment, but when it is proposed to appropriate a single dollar of money col-



lected from the income-tax payers then we are told that it is a "dole" and that it will destroy American character. This cry of "dole" is preposterous.

If, Mr. President, you think an appropriation from the Federal Treasury made to assist in relieving the existing national emergency—the greatest business depression in 50 years—will destroy character, what do you think is happening to the character of the men, women, and children who are going hungry and cold in the cities during these winter months? Have you thought of the cost in human suffering, of the breakdown of constitutional, physical resistance. What is happening to the character of the children who are suffering from malnutrition, from rickets, whose health is being undermined, who are being prepared for the invasion of tuberculosis and other constitutional diseases? What kind of citizens do you think will be produced by the policy of refusing to relieve the human suffering?

Last November Miss Abbott, the head of the Children's Bureau, pointed out that there was grave danger that the health of many thousands of children would be undermined by reason of the conditions under which they are forced to exist. Furthermore, if it be true that an appropriation from the Federal Treasury will destroy the character of the man who receives it, why will not funds given by individuals destroy his character? The argument breaks down upon analysis.

Mr. President, if the Federal Government were to go forward and meet its fair share of this great burden then its contribution at least could be said to fall upon those who are best able to bear it, for it would fall upon the income-tax payers of the United States.

Every effort which has been put forward in this Chamber by those who have been speaking in opposition to the policy of the administration has been for additional relief. According to the dictionary definition of a "dole" I think it can properly be used to characterize what the administration has done in the face of the suffering and distress throughout the Nation. According to Webster, "to dole is to deal out in small portions; to deal out scantily or grudgingly." That certainly, Mr. President, has been what the administration has done in the conditions of distress which confront us.

We have been told by those speaking for the administration that to appropriate money to relieve distress and suffering in the drought-stricken States would be to violate a great American principle. If that be true, Mr. President, we began violating that great American principle in 1827, when the policy of appropriating funds from the Federal Treasury for relief purposes was inaugurated. At that time, in order to assist in relieving conditions created by a fire at Alexandria, Va., the Congress appropriated \$20,000.

In 1874 Congress appropriated \$190,000 for relief necessitated by a Mississippi River flood, and in the same year Congress appropriated an additional \$400,000.

In 1875, to relieve conditions created by a grasshopper plague, Congress appropriated \$150,000.

In 1882 the sufferers from a Mississippi River flood received three appropriations, one for \$100,000, one for \$150,000, and one for another \$100,000.

In 1884, to relieve distress caused by Ohio River floods, there was appropriated from the Federal Treasury \$300,000.

In the same year, on account of Ohio and Mississippi River floods, an additional \$200,000 was appropriated.

In 1890, because of another Mississippi River flood and the suffering incident thereto, Congress appropriated \$150,000.

In 1897, on account of another Mississippi River flood, Congress made an appropriation of \$200,000.

In 1897, to relieve destitute persons in Alaska, Congress appropriated \$200,000.

In 1906 Congress appropriated \$1,000,000 to relieve conditions growing out of the San Francisco fire and followed it with another appropriation of \$1,500,000.

In 1908 Congress appropriated \$250,000 to relieve cyclone victims in the South.

In 1912, on account of Mississippi and Ohio River floods and conditions of distress growing out of such floods, Congress appropriated \$1,239,000.

In 1913 Congress appropriated \$654,000 to relieve flood and tornado victims.

In 1913, again on account of Mississippi and Ohio River floods, Congress appropriated \$130,000 to relieve suffering and distress.

In 1914 Congress appropriated \$200,000 to relieve conditions created by the fire at Salem, Mass.

In 1916 appropriations were made to take care of sufferers because of floods in southern States; and

In 1928 Congress appropriated \$1,500,000 for the relief of persons affected by a flood in the Mississippi River.

Mr. President, how can any person familiar with this record claim that to appropriate money for the relief of the victims of the present disaster, created by nature in the Southern States, is to violate a great American principle? On the contrary, to refuse to meet this situation by a Federal appropriation is a violation of traditional American policy and is counter to the spirit of generosity which has always actuated the Government of the United States under similar conditions.

In 1927 President Coolidge in an address to the American Red Cross boasted about how much the Federal Government had done to relieve the flood sufferers in the Mississippi Valley. He stated that he estimated the value of services, of equipment, and supplies furnished by the Federal Government during the 1927 floods in the Mississippi Valley at \$7,000,000.

Mr. President, as has been pointed out many times during this debate, the Government of the United States has long maintained a policy of being generous in appropriating funds out of the Treasury to assist those in foreign countries who are destitute or in distress. For the sake once more of summing the situation up and to demonstrate the utter fallacy and the untruth of the statement that the Federal Government in appropriating money for relief is violating an American principle I want to read the list.

Beginning in 1889, the Federal Government appropriated \$100,000 for destitute citizens of Cuba.

In 1902 the French West Indian earthquake victims received \$200,000 from the Federal Treasury.

In 1909 the Italian earthquake victims received \$800,000, and we were so anxious to have that done that we provided in that act that the President of the United States should secure permission from the King of Italy for us to make this contribution.

In 1911 famine victims in China received \$50,000.

In 1919 President Hoover administered a fund of \$100,000,000, appropriated out of the Federal Treasury for European food relief.

In 1921 the victims of a drought in the Volga River Valley in Russia received \$20,000,000, administered by Mr. Hoover.

In 1922 European food relief received an appropriation of \$107,746.

In 1925 we appropriated \$6,000,000 for the victims of the earthquake in Japan.

In 1924 the President of the United States, then Secretary of Commerce, appeared before the Foreign Affairs Committee of the House and made the following statement in connection with a proposed appropriation of \$100,000 to relieve distress among children in Germany:

Our only hope is that the next generation will be better than this one, and there is no hope if they are to be stunted and degenerate from undernourishment.

I wish that the President of the United States had the same attitude toward the children in the cities and in the drought-stricken areas of this country to-day that he had concerning the starving German children in 1924, and I commend his own words to his attention.

Our only hope—

Says he—

is that the next generation will be better than this one, and there is no hope if they are to be stunted and degenerate from undernourishment.



He went on further to say:

I recognize the many arguments that may be brought against charitable actions either by private agencies or by our Government, but I refuse to apply these arguments to children.

He refused to apply the arguments made against a Federal appropriation to German children in 1924; and yet he has maintained an adamant and unyielding and a heartless attitude toward the innocent children who are the victims in our cities and in this drought-stricken area. What, I say, is the hope "if they are to be stunted and degenerate from undernourishment"?

I also want to read a paragraph from President Hoover's acceptance speech:

One of the oldest and perhaps the noblest of human aspirations has been the abolition of poverty. By poverty I mean the grinding by undernourishment, cold, and ignorance, and fear of old age of those who have the will to work.

Mr. President, there are at least 7,000,000 working men and women in this country at this very hour in the industrial centers who are receiving the grinding by undernourishment, cold, and ignorance, and fear of old age that the President referred to in his acceptance speech.

Then he went on to say:

We in America to-day are nearer to the final triumph over poverty than ever before in the history of any land. The poorhouse is vanishing from among us. We have not yet reached the goal, but, given a chance to go forward with the policies of the last eight years, we shall soon with the help of God be in sight of the day when poverty will be banished from this Nation.

Said he:

There is no guaranty against poverty equal to a job for every man. That is the primary purpose of the economic policies we advocate.

Further on he said:

Our Government, to match the expectations of our people, must have constant regard for those human values that give dignity and nobility to life. \* \* \* A people or government to which these values are not real, because they are not tangible, is in peril.

Size, wealth, and power alone can not fulfill the promise of America's opportunity.

This was the attitude of Mr. Hoover prior to being inaugurated; but no sooner had he taken office than appeals were made to him to do something to check the dangerous inflation in this country. He failed to act. The unemployment situation was called to his attention, and he failed to act. Not until after the stock-market crash did he again show any of the humanitarian instincts which were indicated by his relief work in Europe, and by the statements I have quoted from his testimony, and from his acceptance speech. Then the heart of President Hoover was touched; but whom did he seek to relieve in that situation? The Federal income-tax payers! He rushed to Congress with a demand that we make a gift of \$160,000,000 out of the Treasury of the United States to the taxpayers and the great corporations of this country.

Was there any cry of "dole" then? Was it wrong to deplete the Treasury by that tax remittance of \$160,000,000? How did the President then know that some of the money which the income-tax payers did not pay into the Treasury was not going to be used for food? There was no talk then about breaking down the character of those who were its beneficiaries; nor was any cry at that time raised by President Hoover that it would violate a sound American principle. It was to be done. It was an emergency. We were hardly permitted time enough to consider it upon this floor. It was jammed through the Congress. In that instance, however, it was the comparatively wealthy income-tax payers and the great corporations who were the beneficiaries of Mr. Hoover's traditional and well-known humanitarian instincts. But now, Mr. President, when it is demanded that relief for the distressed and suffering men, women, and children who toil, and of the farmers in the drought-stricken area, the President suddenly becomes hard-hearted. His sympathies are not aroused. He maintains a position with obstinacy and persistence. He is determined that not one dollar of money shall be given to the victims of this economic disaster or of the nature-created disaster in the drought-stricken areas.

aster or of the nature-created disaster in the drought-stricken areas.

I realize that there is no possibility of defeating this conference report. I realize that the votes have been gathered in to pass it; but I want to point out that the Senate of the United States and the Congress and the Executive are utterly failing to meet their responsibilities in this situation. The facts have been presented. The necessity of this assistance is manifest; and yet we are asked to accept this surrender of the position taken by the Senate by an overwhelming majority.

In 1930 the people of this country went to the polls. It is my conviction that one of the reasons for the overwhelming defeat of the administration and its policies in that contest was the fact that the President of the United States had failed to realize the magnitude of this economic disaster, and had indicated a determination not to afford any assistance to its innocent victims. The Democratic Party, being the party of opposition, was the party to which the people turned in the 1930 election. They gave that party a mandate to fight for the interests of the great mass of the workers and the farmers in this country. Even before the convening of Congress the leadership of the Democratic Party repudiated its mandate and declared for cooperation with the present administration.

I feel a good deal like one of the privates in the rear ranks of the army of the King of France, of whom it was said, according to the nursery rhyme that you remember:

The King of France went up the hill,  
With twenty thousand men;  
The King of France came down the hill,  
And ne'er went up again.

This is a humiliating surrender on the part of the Senate of a great principle, namely, the principle that the justification for government is that it will in emergencies protect its citizenship. We are permitting the precedent to be established that the millions of working men and women in this country and the farmers who are the victims of this drought shall be required to bear the burden, the economic depression and the drought.

In view of the traditional history of this country to which I have adverted here this afternoon, I say that the Senate should not compromise upon that principle. It should adhere to the policy which the Government has always maintained of affording relief to citizens who are in distress and unable to meet their own problems.

Mr. President, this issue was one of the underlying issues in the campaign of 1930. It will be a dominant issue in the campaign of 1932. Parties and leaders failing to meet their responsibilities and to carry out this traditional policy of the American Government in extending relief to innocent victims of disaster, whether created by nature or by man, will be repudiated.

ERNEST A. MICHEL

Mr. SCHALL. Mr. President, on February 6 the President gave to the press a letter addressed to me on the judgeship situation in Minnesota. I ask unanimous consent to have that letter printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The letter is as follows:

THE WHITE HOUSE,  
Washington, February 3, 1931.

HON. THOMAS D. SCHALL,  
United States Senate, Washington, D. C.

MY DEAR SENATOR SCHALL: I have your letter of recent date in which you again urge the appointment of Mr. Ernest Michel as a United States judge for the district of Minnesota, and I have borne in mind your long-continued and earnest representations as to this appointment. I regret that I can not do so. The Department of Justice, after careful investigation, as early as last June indicated its disapproval of Mr. Michel for this position. The Attorney General has given you his reasons therefor.

You appreciate, I am sure, my own responsibility in making appointments to the Federal judiciary. The Constitution provides that the President shall first nominate and then, with the advice and consent of the Senate, make the appointment. The initiative of making the nomination is clearly with the President. It is apparent, therefore, that I have an independent obligation, as



President, to nominate men for the Federal judiciary who are not subject to any question as to their fitness.

I keenly realize the difficulties of your own personal situation. As you say, Mr. Michel is strongly supported by various political groups in Minnesota. I recognize the fact that he is a partner of an important supporter in your recent campaign. I am aware also of the implications which have been made of reprisals against this administration if I fail to agree to this appointment. My conception of my responsibilities does not, however, permit of my placing the appointment of judges on this basis.

No question of corporate influence or personal popularity does or should enter into this question. In the making of a nomination to fill the existing vacancy I shall be glad to receive any suggestions which you may care to submit and suggest that you present to me 8 or 10 names of men whom you think would make fit appointees for United States district judge in Minnesota—men whom you are sure will be dominated by no one—and from such a list I shall hope to find some one with fitness for that position.

Yours faithfully,

HERBERT HOOVER.

Mr. SCHALL. Mr. President, I have a reply to that letter, which I wish to read into the RECORD. I should read it myself if I could, but since I can not see, I presume I will have the privilege of having the clerk read it.

The VICE PRESIDENT. Is there objection to having the clerk read the letter? The Chair hears none.

Mr. SCHALL. I also ask that these letters be printed in 8-point type.

Mr. SMOOT. Mr. President, I want to call the Senator's attention to the fact that all such insertions in the RECORD, under the agreement between the House and the Senate, are to be printed in 6-point type. I think the Senator, knowing that fact, will not ask that the letters be printed in 8-point type.

Mr. SCHALL. Mr. President, I have never taken the pains to inquire into that matter. If I could read the letter into the RECORD myself, would it not go in in 8-point type?

Mr. SMOOT. Yes, it probably would if it is a personal statement of the Senator.

Mr. SCHALL. Then, since I am blind and the clerk will read it, why should it not go in 8 point. I want to read it myself.

Mr. HEFLIN. I suggest to the Senator from Utah that that is frequently done by unanimous consent.

Mr. SMOOT. No; it is not frequently done.

Mr. HEFLIN. It has been done within a week. I had it done once myself.

Mr. SMOOT. I know the Senator did, but I was not in the Chamber when the Senator asked permission.

Mr. HEFLIN. The Senator should have been here.

The VICE PRESIDENT. The Senator from Minnesota has the floor. Does the Senator yield to the Senator from Utah?

Mr. SCHALL. I yield.

Mr. SMOOT. When such action is taken we are violating the statute. Congress, by the printing act of 1895, delegated to the Joint Committee on Printing complete supervision over the style and form of the CONGRESSIONAL RECORD and in compliance therewith the Committee has promulgated certain rules and regulations and one of them is that insertions shall be printed in 6-point type. Neither the Senate nor the House may, by unanimous consent, rescind these rules, inasmuch as they have the effect of law.

Mr. SCHALL. Mr. President, had I my eyes, as the Senator from Utah has his, I should read the letter, and there would be no question about it. It seems to me that since I read the letter by proxy, it should go in in 8-point type. I wish to read it; I would like to read it.

Mr. FLETCHER. Mr. President, I think the Senator from Minnesota is right about that.

Mr. SCHALL. Certainly I have the same rights the Senator from Utah has, although I may not be able to see as well.

Mr. FLETCHER. The Senator from Minnesota has asked to have the letter read by the clerk. The clerk would be simply representing the Senator.

The VICE PRESIDENT. The clerk will read.

The legislative clerk read as follows:

FEBRUARY 10, 1931.

The Honorable Mr. HOOVER,

*The President of the United States,*

*White House, Washington, D. C.*

MY DEAR MR. PRESIDENT: In replying to your letter to me, given to the press by you February 6, I am sure there can be no criticism if I follow the same course.

By your reference to my "letter of recent date" I presume you mean that of January 9 (just one month ago), in which I forwarded you various communications from constituents and editorials favoring the appointment of Ernest A. Michel for United States judge in Minnesota. I note your statement that "the Department of Justice, after careful investigation, as early as last June indicated its disapproval of Mr. Michel for this position." This is the first I have ever heard of such an investigation. Information came to me to-day that there has just returned from Minnesota a Department of Justice investigator who was, within the last few days, sent to Minnesota to make an investigation of Michel. I would like to call upon you to favor the Senate with a copy of the report of any and all investigations, in order that we may know upon what information your Attorney General is proceeding. I ask especially that you see that it is not suppressed, as was done with the report of the Watson investigation. (Illinois Law Review, XX, 66.)

You speak of the Attorney General having given me his reasons. He did write me on June 28, 1930. On January 27, 1931, without any notice to me, and without regard to the heretofore precedent of his great office, he issued a statement to the newspapers, which I have been permitted to hear only through their courtesy. Also, on January 28, 1931, he issued another statement, in the form of a letter written to me, which he gave to the press; but he said nothing in either letter or statement about any investigation. In the June letter he stated: "There have been a large number of indorsements of his [Michel's] candidacy received, and there have also been a very great number of protests." I have asked him repeatedly for an opportunity to see these alleged protests, in order that I and my colleagues in the Senate might be able to determine their worth, but the Attorney General seems to consider them his private property, which no Senator may inspect, but concerning which we must accept his conclusions. Once more I ask that these be disclosed. It is equally true that no aspirant for a judicial position has ever had a more impressive list of indorsements than has Ernest A. Michel. You yourself told Senator SHIPSTEAD and me when we presented some of the indorsements for Mr. Michel to you that it was the most impressive and formidable list of indorsements you had seen since you became President.

You say you are sure that I appreciate your responsibility in making appointments to the Federal judiciary. You are entirely correct. I not only appreciate it but I am anxious to help you to exercise it in the constitutional manner, upon the advice of the Senate and not upon the advice of an Attorney General whose advice I am prepared to show is unworthy, if you will but give me the opportunity, and should be taken with a "grain of salt." I am anxious to assist you in discharging your "independent obligation as President."

In continuation you say:

"The Constitution provides that the President shall first nominate and then, with the advice and consent of the Senate, make the appointment."

The words "first" and "then" do not occur in our fundamental law. Its full phraseology is: "The President shall nominate and, by and with the advice and consent of the Senate, shall appoint, officers of the United States." (Art. II, sec. 2). As I have said recently in the Senate, the advice is just as imperative as the consent and in the very nature of things the advice to be useful must be sought and given before the nomination is made. Advice proffered after the nomination has been sent in and the presidential choice announced, is worse than futile, and I am happy to note that you concede this in your letter by suggesting that I submit other names.

Undoubtedly your willful Attorney General has induced you to substitute his advice for senatorial advice; but that, I repeat, is not the constitutional method. Should you, Mr. President, accept his advice in the face of the advice of the solid Minnesota delegation, the governor, and all State elective officers? Is the entire Minnesota delegation, all its State officials, hundreds of lawyers, over a score of judges, all wrong? Is it not possible that Mr. Mitchell may be in error?

Realizing the "right thinking" attitude of the Attorney General, I suggested to him that he write Silas H. Strawn, of Chicago, whose legal opinion is of the highest value and who knows Ernest Michel very well. He refused, saying he was well-enough informed already. I then asked him if there was anyone in the State of Minnesota whose opinion of Mr. Michel would be of influence to him in rendering a favorable decision, to which he replied that he knew all about it and that other opinions, whatever they might be, would not affect his decision. When you consider such a stand of the Attorney General and couple with it the fact that he said that he had nothing against the character of Mr. Michel and that he was an able lawyer he demonstrates his unfitness to serve a representative government.

You indicate a desire "to nominate men for the Federal judiciary who are not subject to any question as to their fitness." May I ask, Mr. President, whether you have ever found such men?



If so, the record fails to disclose them. The fitness of even your nominee for Chief Justice was not only questioned but he was bitterly opposed by a full third of the Senate. Many protests were lodged with me against the nominations of Mr. Mitchell both for Solicitor General and for Attorney General. I might have attempted to prevent his confirmation for either, but I yielded to your desire to select a cabinet of your own choice. I am convinced now that it would have been kinder to you if I had opposed him. You will recall that you sent for me and that I told you at that time that Mr. Mitchell belonged to a party opposed to us politically, that he was a corporation man and opposed to me in every way and that he was not my friend. It was then that you touched me on the knee and told me that you would make him my friend.

Even if I were to follow your suggestion and "present 8 or 10 names of men whom I think would make fit appointees," your Attorney General would be sure to find something to criticize in them unless they should happen to include the public utility minded or, as your Attorney General puts it, "right-minded" attorneys whom he hopes, one by one, to foist upon the country. We produce in Minnesota as good men as are found anywhere else in the world; but we do not claim that they are perfect. All worth-while men have their enemies, and Mr. Michel is no exception, though his are found among the retainers of the corporations he has faced and beaten in the courts. Yet he has so weathered his many years of law practice that he is able to present to you the solid Minnesota delegation for him. I know him to be a temperate, God-fearing man, who is square, clean, and upright, and a man with exceptional ability as a lawyer. Anyone who intimately knows him must concede this.

The fitness of Richard J. Hopkins, whom you nominated for judge in Kansas, was not only seriously questioned on the floor of the Senate but he was openly charged with conduct the like of which was never hinted of Mr. Michel. It was said, e. g., that Judge Hopkins, while attorney general of Kansas, had collected in two out of a hundred and five counties \$3,086 more in fees than he turned in for the whole State (CONGRESSIONAL RECORD, 72-847). It was also alleged that after he became judge of the State Supreme Court he accepted money for services to a private organization. Yet you nominated him!

It was alleged of Albert L. Watson, whom you appointed judge in Pennsylvania, that he had used his position as common pleas judge for partisan ends and had made biased political orders without consulting his associates as required by law. The senior United States circuit judge (Buffington) of that circuit declared that the appointment of Mr. Watson "would be a distinct lowering of standards." Yet you appointed him. Contrast to Judge Buffington's attitude that of Minnesota's Chief Justice Wilson, who says that Mr. Michel is a "man of character, integrity, and ability, and that he would make an excellent Federal judge." In both the Hopkins and Watson cases you followed the advice of Senators and wisely left these charges to be sifted by the Judiciary Committee and discussed on the floor of the Senate as the Constitution intends, and they were thus disposed of favorably to your suggestions. Why not follow the same course with Mr. Michel and concede to me and Senator SHIPSTEAD the same right?

Nothing approaching the charges against Judges Hopkins and Watson has been urged against Mr. Michel. In all my conversations and correspondence with your Attorney General, he has never once hinted of any specific act of wrongdoing upon Mr. Michel's part. The burden of his complaint has always been that Mr. Michel belonged to a firm which specialized in personal injury cases. Now, the truth is that Mr. Michel's partner is the attorney for the railroad brotherhoods, an organization which extends into many States and which, incidentally, furnished you loyal support in the campaign of 1928. One of their features is a corps for protecting injured members, visiting them, seeing that they are provided with counsel and are not taken advantage of by claim agents and other unscrupulous corporate "right minded" representatives. Such a corps is naturally a thorn in the side of the corporation lawyers like your Attorney General, and it is for his connection with such a system that he mislabels Mr. Michel.

The Minnesota Supreme Court has declared itself "unable to hold that it is illegal or against public policy for an attorney to solicit a case." (Johnson v. R. Co., 128 Minn. 365.) As a matter of fact all lawyers do so in one form or another. A sign on the door or a card in the newspaper is really a solicitation of business. Some, like Mr. Mitchell, accomplish the same result, or a greater one, by joining expensive clubs and seeking otherwise the society of the rich. If nothing more can be said against a lawyer than that he is keen for business, he must be pretty clean.

You quote me as having said that "Mr. Michel is strongly supported by various political groups in Minnesota." What I did say in my letter of January 9 was:

"The railroad workers, labor generally, the farming element, and the Legion favor his appointment \* \* \*. He has a very large business, banking, and professional support."

Are these political groups? And are they not entitled to as much consideration as the undisclosed protestants whom the Attorney General secretes?

I regard the Minnesota congressional delegation as an official rather than a political group, but the most significant feature of its attitude is the fact that while divided politically it is a unit for Michel. The same is true of the State officials, including a large part of the judiciary. This leaves as the only known and responsible opponent, your Attorney General; and since you have apparently adopted his view and even his phraseology in your let-

ter, you compel me to expose his antecedents and analyze his motives.

I have known him much longer than you have and am familiar with traits and defects which he has carefully concealed from you. Your Attorney General is a Minnesotan, who has been in the State but not of it. Even his preparatory education was received at an Eastern school to which he was sent and he did not go, Mr. President, as you did, on his own resources. He has always carried himself with an air of superiority to the rest of our people. Born with a gold spoon in his mouth, cold and unsympathetic by nature, he grew up with little regard for the rights and feelings of the great masses or for anyone else except the wealthy and powerful. His father was a judge of the State supreme court and, unlike his son, very human and greatly beloved. By virtue of that position he was able to place his son in the way of obtaining a lucrative clientele, especially among corporations. He had none of those hard struggles for practice, which are the lot of most of our young lawyers. He soon became the attorney for many corporations, among them the Illinois Central Railroad, and if you would read the list of cases in which he has appeared for that company and the efforts—mostly unsuccessful—which were made to prevent the award of lawful compensation to the victims of its negligence and greed, you would better understand his prejudice toward the railroad brotherhoods and their corps of protectors. If you would study those cases and ascertain what he was contending for, you would realize his pettiness. In one case it was actually argued that a rule of the Illinois Railroad Co. overrode the law. During the World War he was regional counsel for all of the railways with lines in Minnesota, and his experience with lawyers having personal-injury cases was naturally amplified and his prejudice increased. It is this long corporate connection and the environment in which he has practiced which has unbalanced his judgment. He has nothing against Michel, and if you will pin him down he must admit it. He thinks, though he is mistaken and prejudiced and without foundation for his obstinate conclusions, that some of the actions of Michel's partner are reprehensible, but he has nothing to say against Mr. Michel. His "right thinking" is so warped that he does not want to, in this case, separate two individuals each answerable to himself and to his God for his own actions. Michel avoids the flowing bowl, is not a member of gentlemen's clubs and spends his time when not at work upon his profession, with his family, and regularly goes to church on Sunday. On Monday, Tuesday, and Wednesday he meets his opponents before the courts, and because of hard application, generally defeats them, which defeats your Attorney General has tasted and still remembers. And he would now like, for the purpose of ruining Michel, to mislead you and bring down upon the head of Ernest A. Michel the discrepancies of his partner, Tom Davis. Michel is modest, retiring, a deep student, of German descent, inheriting good judgment and common horse sense. He can not by any stretch of the imagination be likened to his fiery, eloquent, temperamental, eccentric, and lovable partner, Tom Davis. They are two opposites, one is as different from the other as the North Pole from the South. That is why these two have made a wonderful combination as a law firm. Michel is the careful, painstaking, conservative lawyer, Davis the advocate. In over 20 years of practice no court has criticized Mr. Michel's conduct, and he has appeared many times before the Supreme Court of the United States, before the supreme courts of the States of Michigan, Wisconsin, Indiana, Iowa, Nebraska, South Dakota, Montana, and Illinois, to say nothing of the innumerable times before his own supreme court.

I do not quite understand the following sentence in your letter: "I am aware also of the implications which have been made of reprisals against this administration if I fail to agree to this appointment." You have never had any such implication from me. I am a Republican and am naturally anxious to see the national administration of my party succeed, much more so than those individuals in the organization of the party who sent money into States in this last election to elect Democrats; but I can not applaud nor follow a policy that would establish a dictatorship of judiciary appointments in the hands of any lawyer, much less a Democratic corporation lawyer. I am one of the Senators from Minnesota and it is my desire and my duty to act in this matter according to the wishes of a majority of my constituents. I have the best of evidence of what those wishes are, for your Attorney General (knowing in advance that I was for Michel) passed the word on to his friends and they all made it an issue against me in my recent campaign. The people voted on the question as nearly as they ever can and they reelected me.

Mr. President, there are some "implications" of which I fear you are not "aware," and they are growing daily more portentous. The Republicans of this country did not nominate and elect you in order to make your Attorney General the dictator of United States judicial appointments. He has never done anything for you or for our party except to stab it in the back. In September, 1928, when we were all working our heads off to elect you, Mitchell and his wife, taking advantage of the special rate for Government people, left for a couple of months' holiday in Alaska. I doubt if he even voted for you. To-day you have presented to the Senate, no doubt because of the advice of your Attorney General, the name of a Wilson-Smith Democrat for United States judge in the District of Columbia. Your Attorney General has succeeded in so alienating the personnel of his department that of the seven Assistant Attorneys General who were there when he was Solicitor General, not one was in office a few months after he took office. The list of those who left, voluntarily or otherwise, includes the alert and resourceful William J. Donovan, who did yeoman service for you in the last election; the brilliant George R. Farnum; the



patient and plodding Parmenter, of Oklahoma; the industrious Galloway, of Indiana; and Mabel Walker Willebrandt, whose untiring zeal in your behalf in the last election was unexcelled. Last but not least I mention the courteous and efficient John Marshall, of West Virginia. None of these could get along with your Attorney General and no high-class and self-respecting lawyer can long work with one so autocratic and dictatorial. He did the Republican Party no service when he turned out John Marshall, a loyal party man, and kept as administrative assistant one C. E. Stewart, an Alabama Democrat.

I call your attention to the testimony of Assistant Attorney General Parmenter, found on page 1237 of part 3 of the hearings before the Senate Committee on Indian Affairs, pursuant to Senate Resolution 79, wherein Mr. Parmenter testifies as to his conversations with your Attorney General, who at the time was Acting Attorney General:

"\* \* \* He then asked me if I could not return an indictment and leave Mr. Burke out. I told him no. He said, 'Then, can you not let the matter, so far as Mr. Burke is concerned, run on until later?' I told him no; I could not do that."

"He then gave a shrug of his shoulder and a motion of his head which I interpreted to mean that if in the grand-jury room Mr. Burke was about to be included in an indictment all I would have to do would be to indicate in some such way that he should not be included, and he would not be. I told him I would not do that for any man. \* \* \* I went back down, and I think it was the next day, which would probably be the 29th, I received a memorandum to discharge that grand jury."

In a civil trial involving the facts in this case Federal Judge Knox refers to the manipulations charged to Burke as "a sordid story" and "a studied attempt to dissipate the wealth of Jackson Barnett." I know that you will approve of the actions of Parmenter, but it was because of his right stand that the "right-thinking" Mr. Mitchell, when he came into the office of Attorney General, could see no further use for such an assistant.

I likewise refer you to the opinion of your Attorney General, dated September 22, 1930, on the Appalachian Electric Power Corporation's application for a power permit on the New River in Virginia. If this astonishing opinion, which is neither good law nor good administration, should hold, it would destroy the Federal power act, which controls millions of water horsepower throughout the United States. This opinion has been attacked on all sides by lawyers who are familiar with the fight to protect the Nation's water power, and it is significant that your Attorney General is the first high official that has sought to nullify this law which protects the people against public-utility exploitation.

Your Attorney General again undermined the Republican Party when he hatched in his own office, according to his own admission, the scheme to nominate Judge Parker, who is anathema not only to labor in general but the railroad brotherhoods, toward whose highest duly elected officials your Attorney General has shown such bitter opposition, two of whom called upon him and upon you in Mr. Michel's behalf. He failed the United States Government when he prevented the execution of a judgment in its favor for over \$1,000,000 inheritance tax upon the estate of a former client, Mrs. James J. Hill; and later, using his office as Solicitor General, prevented the Supreme Court from passing on the validity of the scheme by which he had enabled that client to defraud the Government, though he himself drew up the papers for Mrs. Hill out of which grew the controversy. If there was any virtue in his newspaper campaign of "right-thinking" ethics, he certainly as Solicitor General would have seen to it that the Supreme Court had an opportunity to pass upon this Hill case. I can show you several other sidesteppings of your Attorney General during his term of office, if you are ready to listen to them.

As a Republican and a Senator let me importune you, Mr. President, not to close your eyes to the lessons of recent political history. Taft wrecked his administration by trusting Ballinger; Harding wrecked his by trusting Fall, Daugherty, and others of lesser notoriety, like the late Rush Holland. Are you going to wreck yours by further trusting your Attorney General? The answer is for you to make; but millions of loyal Republicans throughout the land are hoping and praying for a negative answer.

Mr. President, I can not disregard the mandate of my State and its people. I can not desert Mr. Michel, whom I know and whom the people of my State know is in every way qualified for this position and who has been made the victim of class prejudice and corporate vindictiveness. In view of the unjust and unprecedented attack made upon Mr. Michel by the Attorney General, I could not in good confidence submit the names of 8 or 10 other lawyers and subject them to the same kind of an attack. The people of Minnesota want a liberal and progressive judge, and I feel certain that were I to submit the names of such lawyers as are liberal minded and progressive that they would be submitted to the same opposition from the Attorney General that Mr. Michel has encountered. I am afraid that the new qualification, "right mindedness," imposed by your Attorney General would be found wanting. Their reputation would be subjected to the same sniping of the "public-utility, right-minded" Attorney General. My recommendation, as well as that of my colleague Senator SHIPSTEAD, of Mr. Michel and the support of every Member of Congress from Minnesota was because of the conviction that he represents the attitude that the people of Minnesota demand in a Federal judge, that of being free and independent of corporate influence.

The entire Minnesota delegation asks you to send his name to the Senate, together with all communications, pro and con, relative to his candidacy, and to let that body, in the exercise of its constitutional prerogative to give advice, pass on his qualifications. That much, it seems to me, is due Mr. Michel, who has been attacked and accused by your Attorney General in an unprecedented newspaper campaign which he has initiated and in which Mr. Michel has had no opportunity to offer a defense. Once before the Senate he will have such an opportunity, and if there is merit in the Attorney General's contentions he will have a chance to show it. On the other hand, Mr. Michel will be given an opportunity and the only opportunity that he can have to vindicate his good name. In view of the unanimity of our delegation in Congress and of our State officials at home, it seems to me that this is as little as could be asked under the circumstances. It is not my individual and isolated request but that of practically the entire official representation of the State, and I submit that it is not only due Mr. Michel but would afford the most equitable and satisfactory solution of the whole matter, and I am sure that, search as I might, I can not find another name which could bring with it the unanimous support of the entire State delegation.

I would be in full accord with you were you to send this nomination to the Senate accompanied by a statement if you felt you should make it to the effect that the appointment was sent in because of the recommendations of the two Senators and all the congressional delegation and because of the very large number of endorsements for Mr. Michel, but that you also felt that the Judiciary Committee should be advised that in the opinion of the Attorney General the candidate was not fitted for the position and that there were many protests against the appointment. This would, of necessity, bring the matter before the Judiciary Committee for hearing and would present Mr. Michel with a chance for a defense which he has never had an opportunity to make. To me this would not be incompatible with the ideas of American fair play, and this is especially true in view of the open publicity campaign carried on by the Attorney General to destroy Mr. Michel, and it seems to me that there could be no criticism attach to you since the entire Minnesota delegation want it, the governor and the other State officials of my State elected by the people want it, over 600 reputable lawyers of the State of Minnesota want it, over a score of judges, headed by the chief justice of our supreme court, want it. The people of Minnesota, through their representatives, want Ernest A. Michel, and it seems since the judge's jurisdiction is exclusively in the State of Minnesota that the advice of the entire elective representation of the State of Minnesota should be given more consideration than an appointive officer whose duty should be in reality only that of Secretary to the President, since any power he has emanates from the President.

Faithfully, sincerely, and respectfully yours,

THOS. D. SCHALL.

Mr. SMOOT. Mr. President, as the letter is signed by the Senator from Minnesota himself, and a part of his speech, there probably would be no objection whatever to having it printed in the RECORD in 8-point type.

I want to call attention now to the fact that, with the exception stated above, any letter read in the Senate—I do not care whether it be from the President of the United States—is to be printed in 6-point type. For instance, on yesterday a letter from President Hoover was read by the senior Senator from Arkansas [Mr. ROBINSON], which went into the RECORD in 6-point type. I want the Senator from Minnesota to understand that I did not know the letter was written by himself and to be a speech on the subject of the letter. This being the case he probably would not even have had to make the request that it go in 8-point type.

Mr. SCHALL. Mr. President, I am very glad to have had the Senator from Utah make that statement.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House insisted upon its amendment to the bill (S. 2643) to amend the joint resolution establishing the George Rogers Clark Sesquicentennial Commission, approved May 23, 1928, disagreed to by the Senate; agreed to the conference requested by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. LUCE, Mr. HOOPER, and Mr. WARREN were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 16297) to amend the act entitled "An act to provide for the construction of certain public buildings, and for other purposes," approved May 25, 1926 (44 Stat. 630), and acts amendatory thereof; requested a conference with the Sen-



ate on the disagreeing votes of the two Houses thereon, and that Mr. ELLIOTT, Mr. TAYLOR of Tennessee, and Mr. LANHAM were appointed managers on the part of the House at the conference.

#### PROPOSED AMENDMENT OF COPYRIGHT LAW

Mr. DILL. Mr. President, I want to say just a few words about the copyright bill now pending in the Committee on Patents. A large number of Senators have asked me about the bill and have inquired why it can not be speedily reported and acted upon by the Congress. The report in the newspapers to the effect that the bill is being delayed in committee because the broadcasters want a provision so that they may use copyrighted material without cost is simply ridiculous. While an amendment was offered postponing copyright protection for 90 days after registration, there has been no such thought on the part of the members of the committee. That has not been delaying the bill, but a number of other serious considerations.

The Senate should understand that the proposed new copyright law is revolutionary. It proposes to change the policy as to copyright that has been followed by this Government since its beginning. For 140 years every copyright law has required the registration and deposit of copyrighted material, and for 128 years every copyright law enacted by Congress has required that notice shall be affixed to the copyrighted material. Even before the adoption of the Constitution, it was required in the various Colonies that copyrights should be registered. The Library of Congress, as a result of this long practice provided by law, has become a depository for all copyrighted material, to which the public may turn and learn authoritatively what is copyrighted and for how long it is copyrighted. We have built up an orderly system of copyrights. The bill now pending in the committee proposes to wipe out that entire system. The measure is so revolutionary in its nature that it simply can not be acted upon hastily, and unless amendments can be provided that will safeguard and protect the public the bill should not be passed.

I want to call the attention of Senators to the fact that the enjoyment of patent and copyright monopoly flows from the Constitution of the United States and the laws passed by Congress under the constitutional provision. A grant of monopoly is against the public, and the public has a right to know what is copyrighted, by whom it is copyrighted, and the definite period for which it is copyrighted. So when it is proposed to put upon the statute books a law that would absolutely overturn the entire present system and provide no place to which anyone could go to identify material as to whether or not it is copyrighted, I say it is time that the Senate committee should go most carefully into the matter and should not be rushed in its consideration of this legislation.

I say this because I do not want to create the impression that I or others who think as I do, are opposed to the revision of the copyright statutes, but the hearings that we held for two full days, both morning and afternoon, have not as yet been printed, and until they shall be printed the committee will not be able intelligently to pass upon proposed amendments. We want to revise the copyright statute, but we want to be sure when we shall have revised it that we will not be destroying a system that has served our people with reasonable satisfaction during our entire history.

#### PAYMENT OF ADJUSTED-SERVICE CERTIFICATES

Mr. HEFLIN. Mr. President, I ask consent to have published in the RECORD a speech delivered by Gen. Jacob S. Coxey, sr., over radio station WJSV, at Alexandria, Va., on yesterday, relative to payment of adjusted-service compensation to ex-service men.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Ladies, gentlemen, and children of radio audience, through the courtesy of this radio station, WJSV, Alexandria, Va., I am granted the great privilege of presenting to this audience and the people at large the people's side of financing, in accordance with the Constitution, not only the adjusted-service compensation but the financing of all public improvements and needs, without interest,

as outlined in H. R. 12763, now before the Ways and Means Committee of the Congress.

The great privilege granted here to-night is in strong contrast with the bank-controlled press of the country suppressing my statement made before the same Committee of Ways and Means on the same afternoon, February 4, 1931, with that of Mr. Owen D. Young. The banker-controlled press have played up Mr. Young's statement and ignored mine, and I will now give you the statement I made on the same afternoon.

#### STATEMENT OF GEN. JACOB S. COXEY, SR., MASSILLON, OHIO

"General COXEY. Mr. Chairman and gentlemen of the Ways and Means Committee, since listening for several days to the bankers, savings-bank presidents, insurance-company heads, investment and trust company heads, and brokers' testimony in opposition to issuing interest-bearing bonds to be sold on the market to obtain money to pay the adjusted-service certificates, claiming that the outstanding bonds held by such bankers and others and brokers would be depreciated, the thought came to my mind that if an issue of full legal tender, noninterest-bearing Liberty bonds or Treasury notes were issued instead and paid direct to the World War veterans, such bonds or notes redeemable on and after 1945 at the rate of 6 per cent of the total amount issued annually until all of such bonds or notes issued were redeemed or retired and canceled, ought to be a compromise acceptable to all. Therefore, I suggest the following:

"Authorize the Secretary of the Treasury to have engraved and printed a sufficient amount of Liberty bonds or Treasury notes, in the denominations of \$1, \$2, \$5, \$10, \$20, \$25, \$50, \$100, \$500, and \$1,000 each; such Liberty bonds or Treasury notes to be full legal tender, noninterest bearing, exempt from all Federal, State, and subdivision taxes, to pay in full now, all of the adjusted-service certificates and the cost of printing and disbursing such Liberty bonds or Treasury notes.

"Sec. 2. Such Liberty bonds or Treasury notes issued under the provisions of this act shall be callable, redeemed, retired, and cancelled on and after 1945 at the rate of 6 per cent of the total amount annually of such Liberty bonds or Treasury notes issued under the provisions of this act until all of such Liberty bonds or Treasury notes shall have been redeemed, retired, and cancelled.

"Justinian, the great lawgiver of the Roman Empire, reduced the law into three precepts: First, to live honestly; second, to hurt nobody; third, to render unto each his due.

"Ask yourselves the question: Who is the Congress? Is it not the people? If the Congress is the people, should it not coin money at cost for the needs of the Government and of the people?

"The Supreme Court decision, which is final, says: Congress is authorized to establish a national currency, either in coin or in paper, and to make that currency lawful money for all purposes, as regards the National Government or private individuals."

"Now, that is the first proposition. This is the second one:

"Secretary Mellon appeared before the Senate Finance Committee on January 28 to warn that cash redemption of the soldiers' bonus would upset the Nation's financial structure and 'greatly disturb world equilibrium.' He said the cashing of the adjusted-service certificates, which has been urged as a relief measure, would 'seriously retard a business recovery and so prolong unemployment.'

"He testified that the Treasury will close the fiscal year with a deficit, according to present indications, of not less than \$375,000,000, and that cash payment of the face value of the certificates would cost about \$3,400,000,000. He said:

"I can say without qualification that the Treasury Department could not sell \$3,400,000,000 of bonds at the present time, except on terms which it would be very hard to justify and without complete disorganization of the Government and other security markets, with the most serious consequences not only to the public credit but to our entire economic structure."

"Continuing, he said:

"But serious as would be the direct consequences to the Government, it would be even more serious."

"Among the 'indirect consequences,' he listed:

"Immediate depreciation very materially of the price of all United States bonds, the effect of which would be equivalent to a capital levy on the holders of all United States Government securities.

"Destruction of capital values running into hundreds of millions of dollars."

"The fifth clause of section 8 of Article I of the Constitution of the United States provides:

"The Congress shall have power to coin money, regulate the value thereof, and of foreign coin."

"Now, under that provision of the Constitution I suggest the following as a costless and sensible solution:

"Let Secretary Mellon do as Secretary Chase did under President Abraham Lincoln during the Civil War: Authorize the Secretary of the Treasury of the United States to have engraved and printed a sufficient amount of full legal-tender Treasury notes to pay in full now, all adjusted-service certificates at their face value as of 1945.

"Salmon P. Chase, Secretary of the Treasury under Abraham Lincoln, said:

"What is a greenback? Did you ever think what it was? Why, it is simply the credit of this great American people put in the form of money to circulate among the very people whose credit makes it good."

"When I was Secretary of the Treasury the question arose, How should these vast armies and navies be supplied? How should the boys be fed in the fields, the sailors in ships, and pro-



visions be made for their support, their clothing, food, and transportation?

"I found the banks of the country had suspended specie payments. What was I to do? The banks wanted me to borrow their credit or pay them interest in gold upon their credit. They did not pay any gold or propose to pay any themselves, but they wanted me to borrow their notes."

"I said, 'No, gentlemen. This great American people is worth all of you put together. I will take the credit of the people, cut it up in the form of little bits of paper, and we will circulate that paper.'"

"This is the true idea of the greenback. It is the credit and property of the American people."

"Three billion four hundred million dollars of full legal-tender Treasury notes (greenbacks) paid to the patriotic World War veterans at this time would be like a week's rain in the drought-stricken districts; it would thaw out the frozen credits—merchants' notes—now held by the banks that are still breathing, and restore or bring back to life those banks that have lost their breath."

"The World War veterans are more patriotic than the bond slave-holders. They are willing to take the Government's notes without interest, which will only cost the Government \$3,400,000, the cost of printing. Three hundred and forty-six million six hundred and eighty-one thousand and sixteen dollars of such greenbacks issued by Secretary Chase in 1863 are still in circulation. It has not been an experiment; it has worked."

"Mr. Mellon and his understudy, Mr. Mills, will not need to worry any more about advising the veterans what is best for them or about a Treasury deficit or additional tax burden. Their guardianship would be ended."

"This measure would commence the restoration of the country back to Lincoln's principles and prevent the utter annihilation of the Republican Party."

"Now, I want to give you some Supreme Court decisions on the issuance of currency and the definition of currency."

"In Sixteenth Iowa Reports, 246, it is stated:

"The gold dollar is not a commodity having an intrinsic value but money having only a statutory value, and every dollar has the same value, without regard to the material. The gold dollar has not intrinsic value."

"Aristotle said:

"Money exists not by nature but by law. The use of money was of necessity devised. From barter arose the use of money; for it is not everything which is naturally useful—that is, easy of carriage—and for this reason men invented among themselves by way of exchange something which they would mutually give and take. Money, then, was devised from necessity of mutual exchange."

"Henry Cernunchi said:

"Money is a value created by law. Its value is legal and not material. It is, perhaps, not easy to convince one that the value of metallic money is created by law. It is, however, a fact."

"In Price's Principles of Currency you will find this:

"Trade arises out of a division of labor. The need of money comes from the fact of trade."

"Judge Tiffany, in his Constitution Law, says at page 221:

"To coin money and regulate its value as an act of sovereignty involves the right to determine what shall be taken and received as money, at what measure or price it shall be taken, and what shall be its effect when passed or tendered in payment or satisfaction of legal obligation. Government can give to its stamp upon leather the same money value as if put upon gold or silver or any other material. There is no such thing legally as gold or silver money and paper money. Money is the sovereign authority impressed upon and attached to that which is capable of taking and retaining the impress of that authority. The act of coining money consists in affixing to that which is to constitute money the stamp or seal of sovereign authority, by which it may be recognized and known in the market as being authoritatively entitled to be received at the price or value stamped thereon. The authority which coins or stamps itself upon the authority can select what substance it may deem suitable to receive the stamp and pass as money, and it can affix what value it deems proper, independent of the intrinsic value of the substance upon which it is affixed. \* \* \* The currency value is in the stamp when used as money and not in the material independent of the stamp. In other words, the money quality is the authority which makes it current and gives it power to accomplish the purpose for which it was created—the power to pay debts."

"In the Cyclopaedia of Political Science, Volume II, page 879, it is stated:

"Our ancestors in Maryland and Virginia, before the Revolutionary War and for some time after, in default of gold and silver, used tobacco as money; made it money by law; reckoned the fees and salaries of Government officers in tobacco, and collected the public taxes in that article."

"Webster says:

"Money is coin, stamped metal, usually gold or silver, stamped by public authority and used as a medium of commerce."

"The North British Review says:

"Metallic money, while acting as coin, is identical with paper money in respect to its being destitute of intrinsic value."

"The following is taken from Walker on Political Economy:

"Money is the medium of exchange. Whatever performs this function, does the work, is money, no matter what it is made of."

"J. C. Hannon, in the Twentieth Century, says:

"The value of gold is a fictitious monetary value which, when destroyed, reduces the metal to a commodity less valuable than many other metals. Gold plays the part of watered stock in the world's markets, and it is only a question of common sense when the people will repudiate, or rather, demonetize all metals."

"Alexander Delmar, in Science of Money, says:

"Monies are of great varieties. The palpable characteristic which distinguishes money from the numerous objects that resemble it, but which are not money, is its mark of authority, signifying that it is issued, circulated, and made payable for debts, services, fines, taxes, and commodities by virtue of law."

"This is from Herbert Spencer:

"Among the unmitigated rogues mutual trust is impossible. Among people of absolute integrity mutual trust would be unlimited. Given a nation of liars and thieves, and trade must be carried out either by barter or by money of intrinsic value. Given a nation of honest men as careful of others' rights as their own and all trade may be carried out by a memorandum of debits and credits."

"The United States Supreme Court, in 12 Wallace, 525, said:

"Whatever power there is over the currency is vested in Congress. If the power to declare what is money is not in Congress, it is annihilated. \* \* \* No one ever doubted that a debt of \$1,000, contracted before 1834, could be paid by 100 eagles coined after that year, though they contained no more gold than 94 eagles such as were coined when the contract was made, and this, not because of the intrinsic value of the coin, but because of its legal value. The eagles coined after 1834 were not money until they were authorized by law, and had they been coined before, without a law fixing their legal value, they could have no more paid a debt than uncoined bullion, or cotton, or wheat. \* \* \* The coinage acts fix its unit as a dollar; but the gold or silver thing we call a dollar is in no sense a standard of a dollar. It is a representative of it."

"The CHAIRMAN. The gentleman's time has expired."

"Mr. GARNER. I would like the general to continue until he gets through."

"General COXEY. It will only take me a minute."

"The CHAIRMAN. Proceed."

"General COXEY. I have a letter here from a gentleman that is very close to the greatest industrialist in the world, Henry Ford, who, in the campaign of 1928, said to me personally that he thought if Mr. Hoover was elected President of the United States he would apply engineering methods to finance. That idea has been dissipated. He has changed his mind. And I want to read a paragraph of a letter that he wrote to me on January 6. When I wrote to him that I had a bill before the Ways and Means Committee he knew the contents of the bill, and under the rules here I am not able to mention the bill."

"Mr. GARNER. Yes; you are."

"General COXEY. Quoting what he says:

"I do not have any confidence in your committee or anything they can do. The time for talking and legislating is past. We must now stand aside and listen to the thunder of events."

"This gentleman is Mr. W. J. Cameron, who was editor of Mr. Ford's paper and is one of the closest men to Mr. Henry Ford. I am through."

"Mr. GARNER. General, you can refer to that bill you mentioned. There is nothing in the rules of this committee that you can not refer to it at this time. You can refer to the number of it and put it in your remarks."

"The CHAIRMAN. Yes."

"General COXEY. It is H. R. 12763."

"Mr. GARNER. Let me ask in this connection, while the general is on the stand, for the record. We had a list of the gentlemen whom the chairman invited to appear before the committee. Numbers of them have been here, and all of them, except one, Mr. Sloan—

"The CHAIRMAN. Mr. Sloan was unavoidably detained by his business."

"Mr. GARNER. I want to ask the chairman of the committee why he did not summon Mr. Ford or request Mr. Ford to come?"

"The CHAIRMAN. We could not invite everybody. I might have invited Mr. Ford if I had thought about it."

"Mr. GARNER. How came you to think about the other gentlemen? Was a list of names submitted to you by anyone?"

"The CHAIRMAN. The list of names was worked out as representing the general industrial and financial conditions."

"Mr. GARNER. May I ask you this so I will not have to ask it on the floor of the House: How were those names worked out?"

"The CHAIRMAN. By consultation."

"Mr. GARNER. With whom?"

"The CHAIRMAN. A number of persons."

"Mr. GARNER. Was it with Mr. Mills?"

"The CHAIRMAN. No; I did not consult Mr. Mills."

"We thank you, General, for the information you have given the committee."

#### WHAT IS HAPPENING UNDER THE PRESENT PLAN OF PAYING ADJUSTED-SERVICE CERTIFICATES

First, on January 1, 1945, the United States Government will owe the World War veterans, on their adjusted-service certificates, less those that have been paid on account of death, \$3,400,000,000.

Second, taxes have been, and are now, being collected and will be collected annually until 1945 to provide a reserve fund to pay such certificates in full on January 1, 1945, or, in case of death, at time of death.



Such reserve fund created through taxes collected has \$771,000,000 to its credit in the United States Treasury.

#### SIMPLE JUSTICE

In order to hurt nobody, and render unto the holders of such adjusted-service certificates their just due, and to relieve and lift the burden of taxation off the back of the taxpayer, as well as the Government itself, until the year 1945.

#### WHAT WILL HAPPEN UNDER THE COXEY PLAN

Such Liberty bonds, or Treasury notes, being in size and denominations, like the Federal reserve note, national bank note, Treasury note, silver certificates, and gold certificates, which are in circulation at the present time, such Liberty bonds, or Treasury notes, would be more valuable than the aforementioned money on account of being full legal tender in payment of all debts, non-interest bearing, and exempt from all Federal, State, and subdivision taxes.

Within 10 days' time after the disbursing or payment of such Liberty bonds or Treasury notes (money) to such World War veterans for their service certificates prosperity would commence to return, the same as grass starts growing after a warm rain in the month of April.

#### VETERANS PUTTING MONEY IN CIRCULATION THROUGH PAYING DEBTS AND RESTORING PROSPERITY

Upon the receipt of such money by such veterans it will be used in paying debts owed the grocer, merchant, rent, druggists, doctors, undertakers, taxes, building and loan companies' notes, and interest due the banks. Veterans out of debt will deposit their money in banks. In turn such money will be paid to banks by grocers, merchants, and others for notes owed the banks, now frozen credits.

In turn banks will have money to loan and replace the collapsed bank credit, banks now having nothing to loan.

Under the Coxeys plan "unparalleled prosperity" will be a fact in 90 days' time.

#### BANKERS OBJECTING

The cry will go out "inflation! Fiat money." My contention is that we are suffering from a deflation of bank credit, causing a collapse of the economic structure.

The payment of \$3,400,000,000 to the veterans at this time will give banks money to loan, and reestablish and restore bank credit to loan.

Three billion four hundred million dollars of money, full legal tender, noninterest bearing and exempt from all Federal, State, and subdivision taxes, paid into circulation will be in the banks in 10 days' time; such money will be the foundation for \$34,000,000,000 of bank credits to loan by such banks.

"Unparalleled prosperity" will be restored as fast as loans of credit are made by banks to manufacturers and others, and unemployment will disappear.

#### HOW EMPLOYEES HELP THEIR EMPLOYERS

For each \$100 deposited in commercial banks employers can borrow \$1,000 to pay such depositor and other employees on pay day.

#### INJURY DONE BY RUN ON BANK

When a depositor gets scared and draws his \$100 in money out of the bank he pulls the foundation out from under his own job, because the banker then curtails and cuts off the credit loan to his employer of \$1,000, and he can not pay such depositor and others on pay day.

Our banking system has been devised on a basis of loaning \$3 of money to \$97 of credit, using checks instead of money.

When Congress was given the sole power to coin money it was intended that enough money would be coined at cost for the needs of the Government, States, subdivisions, and of the people.

A cunningly devised scheme has been devised and adopted in our banking system, to coin money at cost to the banks, and allow the banks to loan their credit, charging interest for its use, to the Government, States, subdivisions, and the people.

Charging interest for the use of the legal tool money, which can only be used to pay and cancel debts, is wrong, and must be outlawed or this civilization is doomed.

Prohibit banks from paying interest on deposits, start coining money to pay the veterans' service certificates, furnish money without interest to all States, counties, townships, cities, and school districts for public improvements, requiring the return of such money in 25 annual payments of 4 per cent each year without interest.

If President Hoover and his rubber-stamp House of Representatives in Congress, made so by the House rules, giving power to the big three—Longworth and his two aides—to use the stamp, want to prevent an uprising of the people, provision must be made to give work to the 6,000,000 unemployed through the Coxeys bill, H. R. 12763, now before the Ways and Means Committee, Mr. Hawley, the chairman, having refused to grant a hearing on it, although 13 members out of 25 members, a majority, signed a request to the chairman to grant a hearing.

It is pathetic to see 432 Members of the House out of 435 Representatives, a large majority, lacking backbone, allowing the "big three" to command them to vote in accordance with the wishes of the visionless engineer in the White House, the engineer taking his orders from the Mussolini of the United States, Secretary Mellon, who is the head of the invisible government which became visible during the hearings the past week on the adjusted-service compensation bill.

The descendants of the same buccaneers, now called racketeers, were repeating in such hearings what their predecessors did to the Ways and Means Committee in 1863, when they were considering the issuance of greenbacks, when such buccaneers forced the committee to put the exception clause on the greenbacks as follows: "This note is a legal tender for all debts, public and private, except duties on imports and the interest on the public debt."

Thaddeus Stephens, the chairman of the Committee on Ways and Means, that great patriot, came out of the committee room at that time, 1863, with tears streaming down his cheeks, and exclaimed, "I had to yield to the bankers from New York, Boston, and Philadelphia in order to save the Union."

At that time they made a depreciated dollar to pay the soldiers, and a gold dollar to pay the bond slave-holder, also allowing the same buccaneers to corner gold. At one time A. T. Stewart, a large merchant in New York, needed \$100,000 gold to pay import duties and he had to pay the buccaneers \$285,000 in greenbacks.

I am on to their game, and I will not allow their big boy, the chairman of the Ways and Means Committee, Mr. HAWLEY, who is simply the messenger boy for the "big three," who do the bidding of Mussolini Mellon when told to do so by the visionless engineer who occupies the White House.

I will not allow anything put over on the World War veterans without exposing their game. Therefore I suggested making the money full legal tender, noninterest bearing, and exempt from all Federal, State, and subdivision taxes, which will be true liberty bonds, when issued and paid into circulation.

While I was listening to the buccaneers testify how the profits would be lost if they held them on the bonds they had purchased, while the boys were being slaughtered in the trenches, all admitted there would not be any loss if they held those bonds until maturity. I looked up at their big messenger boy, Mr. HAWLEY, the chairman, who had been granted a leave of absence for 10 days by Mussolini Mellon to feel out the witnesses; they were sure-thing witnesses; a very clever play.

The racketeers ought to take care of their messenger boy after March 4, 1933, unless his constituents are bigger dumb-bells than I think they are.

What a contrast between two chairmen of the greatest and most important committee of the Congress of the United States: Thaddeus Stephens, the patriot that through the issuance of greenbacks in 1863, even with the exception clause on them, saved the Union; and Mr. HAWLEY, refusing to issue full legal-tender greenbacks to pay the World War veterans who made this country safe for Democracy, and where such veterans are starving in the midst of plenty. O what fools ye mortals be!

President Hoover claims the "high standard of American wages and living must be maintained."

I assert that it can be maintained, providing the Government will coin and furnish money for the Government, States, and subdivisions at the same rate and cost of \$1.10 per each \$1,000 they print and furnish the 12 privately owned Federal reserve banks.

#### STOP, LOOK, AND LISTEN!

If money is furnished at cost without interest to industry in production, the price of labor will go up and the price of products down. If money is furnished to all public utilities at cost, without interest, the rates would be reduced and labor rates raised.

#### ILLUSTRATION

The railroads have an annual interest account of \$600,000,000. If the Government furnished the railroads the money without interest for \$12,500,000,000 they now have out in bonds bearing interest, such interest saving would reduce freight and passenger rates and raise labor rates.

Let the Government function for the people and not for the banks exclusively.

Mr. President Hoover, then, and not until then, can the high standard of American wages and living be maintained.

Do not worry about dumping the products of 1,000,000 Russian convicts; what our country must fear is the products produced by 80,000,000 of free Russian workers being financed by the government with money at cost to the workers.

Through the interest saving it makes the competition so great that our American manufacturers can not meet it and exist.

#### INTERIOR DEPARTMENT APPROPRIATIONS—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes.

Mr. NORRIS obtained the floor.

Mr. McNARY. I suggest the absence of a quorum.

Mr. HATFIELD. Will the Senator withhold his suggestion for a moment?

Mr. McNARY. I withhold the call for a moment.

Mr. HATFIELD. I send a telegram to the desk dealing with the drought situation in West Virginia, and I ask that it may be read.

The VICE PRESIDENT. Does the Senator from Oregon withhold his suggestion of a quorum?



Mr. NORRIS. I do not care for a quorum, and if the Senator will withhold his suggestion I will finish in a few moments.

Mr. McNARY. I must insist on a quorum call. I will withhold it for a moment while the letter presented by the Senator from West Virginia is being read.

Mr. HATFIELD. I invite the attention of the senior Senator from Utah [Mr. Smoot] to the reading of the letter.

The VICE PRESIDENT. Without objection, the letter will be read.

The Chief Clerk read as follows:

ST. MARYS, W. VA., February 9, 1931.

HON. H. D. HATFIELD,

United States Senate, Washington, D. C.

MY DEAR MR. HATFIELD: The Federal seed loan certainly is inadequate to meet the needs of West Virginia—if conditions in the rest of the State are as those in Pleasants County, as they undoubtedly are. There are at least 200 Pleasants County farmers who have from 1 to 10 cows and who have little or no feed for them. That is not the worst of it—there is no source from which they can obtain money to get feed; they can not borrow from the banks, which have no more money to lend these farmers, and they have no collateral for security to borrow from private individuals who might lend them some money.

Surely that \$45,000,000 loan can be amended to include this class of farmers. If their cattle starve, they say, there is no use for them to borrow money to raise crops, for they will have nothing to feed. In that event they will become wards of the county. The Red Cross chapter is taking care of the clothing and food needs of the poor of the county with local funds, but there is no source for people of this class to get relief for their livestock. Farmers who have more than 10 head of cattle are usually able to secure loans and take care of themselves, but it is the smaller farmer who can not get this credit who needs help now.

Up until the seed loan was passed all the farm leaders expected that it would include loans for livestock feed. Now we do not know what to do. It is all right for the southern farmers who can let their cattle forage for themselves this time of the year, but we in West Virginia can not do that.

Please give your support to any measure that may alleviate conditions like this one in Pleasants County and the rest of the State. If any amendment is passed to take care of these people with their livestock problem, please inform me so that I can pass on the good news.

Respectfully yours,

G. B. MCINTIRE, County Agent.

Mr. HATFIELD. Mr. President, may I ask the senior Senator from Utah whether or not the additional \$20,000,000 provided for in the conference report on the Interior Department appropriation bill will take care of the situation that exists in Pleasants County, W. Va.?

Mr. SMOOT. From the reading of the letter, I take it that the Senator's correspondent does not understand that out of the \$45,000,000 the class referred to can be taken care of. From the letter, I judge the writer does not understand that fact, and that \$20,000,000 provided for in the pending bill, if it shall become a law, of course, will also provide a means by which that class can be taken care of.

Mr. LA FOLLETTE. Mr. President—

The VICE PRESIDENT. Does the Senator from West Virginia yield to the Senator from Wisconsin?

Mr. HATFIELD. I yield.

Mr. LA FOLLETTE. The amendment to Public Resolution No. 112 which is proposed in the conference report is required in order that the money may be loaned for livestock other than work stock. I wish, however, to point out to the Senator that under the terms of that very resolution, which is not changed by this proposed amendment, only those who can furnish a first lien on their crops for 1931 can obtain any of the money for any purpose.

Mr. HATFIELD. I thank the Senator.

Mr. President, I understood from the Department of Agriculture that the \$45,000,000 appropriation would not apply to the condition set forth in Pleasants County, W. Va.

Mr. SMOOT. I will state that the \$20,000,000 provided in the pending bill, on furnishing security, of course—and that is understood by everybody—will apply to just such cases as the Senator has in mind.

Mr. HATFIELD. In other words, if this conference report is adopted, it will take care of the situation of which I complain.

Mr. SMOOT. It will.

Mr. HATFIELD. I thank the Senator.

Mr. McNARY. I renew my suggestion of the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Fess	King	Schall
Barkley	Fletcher	La Follette	Sheppard
Bingham	Frazier	McGill	Shipstead
Black	George	McKellar	Shortridge
Blaine	Gillett	McMaster	Smith
Blease	Glass	McNary	Smoot
Borah	Glenn	Metcalf	Steiwer
Bratton	Goff	Morrison	Stephens
Brookhart	Goldsborough	Morrow	Swanson
Broussard	Gould	Moses	Thomas, Idaho
Bulkley	Hale	Norbeck	Thomas, Okla.
Capper	Harris	Norris	Townsend
Caraway	Harrison	Nye	Tammell
Carey	Hatfield	Odde	Tydings
Connally	Hawes	Partridge	Vandenberg
Copeland	Hayden	Patterson	Wagner
Couzens	Hebert	Phipps	Walcott
Cutting	Heflin	Pine	Walsh, Mass.
Dale	Howell	Pittman	Walsh, Mont.
Davis	Johnson	Ransdell	Waterman
Deneen	Jones	Reed	Watson
Dill	Kean	Robinson, Ark.	Wheeler
	Kendrick	Robinson, Ind.	Williamson

The VICE PRESIDENT. Ninety-two Senators have answered to their names. A quorum is present.

Mr. NORRIS. Mr. President, the issue before the Senate is, Shall public funds be appropriated for the purpose of buying food for our fellow citizens who are starving, and who are not able to give security for a loan?

For some time this issue has been waged pro and con between the Senate and the President, the President contending that while public money might be expended to buy food for animals, and seed for crops, and fertilizer, it must under no circumstances be used for the purpose of buying food for starving people.

Mr. President, we marched up the hill on that issue with our banners flying, contending for the principle which we believed to be right, that there could be no higher use of public funds than to protect the men and the women and the children who are suffering from cold, and starving for something to eat. We marched up the hill with pure hearts and a firm determination; but when we had reached the summit we became enshrouded in a cloud of a special session, and immediately we turned around and marched down the hill, our banners trailing in the dust, and surrendered to the Great Chief.

Mr. President, during the last few days I have received some very pitiful letters describing, in common, ordinary language the suffering that is taking place all over our great country. In the midst of untold wealth, millions of our people do not have money enough to buy a suit of clothes or a meal. In the midst of overproduction, untold numbers are suffering for food. Many of the textile mills have closed down because they are not able to sell the products which they manufacture, while thousands of our fellow citizens do not have clothing enough to keep them warm.

One of the most beautiful letters I have received was from a minister in the State of Nebraska. He told, in the most beautiful language, the duty that we owed to our fellow men, and how we ought to care for suffering and distress wherever and whenever we found it; but through the letter the central idea, often expressed, was, "In this predicament it is your duty to follow the President."

Not once did he claim that the position I had taken was wrong. Not once did he intimate that the position of the President was right; but "follow the President" was his doctrine.

As I read that beautiful letter, Mr. President, it seemed to me that that preacher ought to stand up in his pulpit and pray God to direct His Son to rewrite the Sermon on the Mount so that it would read something like this:

Blessed are they who follow the President; for they shall inherit the political plum tree and enjoy the fruits thereof.

Blessed are they who starve while the asses and the mules are fed, for they shall be buried at public expense.



Blessed are they who hunger in the land of drought, for they shall be told that a great Government feeds the starving poor in foreign lands.

Blessed are the idle rich who "know their master's voice," for they shall be able to save their taxes while the poor subscribe to the Red Cross.

Blessed are the lame ducks on the Muscle Shoals conference committee, for they shall receive their reward at the hands of the Power Trust and an appreciative President.

Blessed are the little children who shiver from cold, for their suffering shall receive "sympathetic consideration."

Blessed are the farmers who toil in the fields and the army of unemployed whose families are hungry, for they shall be fooled again at the next presidential election. [Laughter in the galleries.]

Mr. President, let us turn from this picture to another one.

If we agree to the amendment now pending before the Senate, the effect of it will be to make beggars, or something worse, of thousands, perhaps millions, of our fellow citizens. Men who have no property, men who can give no security, can get nothing from our beneficent Government. They will have to starve or beg or do something worse.

Away out on the Pacific coast in the little town of La Crescenta, Calif., there lives a minister of the gospel, the Rev. Robert Whitaker, who penned these beautiful lines and sent them to me:

#### BEGGING FOR BREAD

Begging for bread—in a plentiful land!

Begging for bread—with a trade in his hand!

Sound as a dollar, in heart and in head,

Ready for work, and yet—begging for bread!

Begging for bread—but not begging alone;

Now are they swollen to numbers unknown,

Who weary the highways with heart-breaking tread,

And swarm through our city streets—begging for bread.

Begging for bread—with such stores on our hands

We could feed the unfed of all habited lands;

Food rotted to order—starvation widespread—

Organized waste—millions—begging for bread!

Begging for bread—while the dividends still

Choke the fat coffers and bulge Dives' till!

"Coming-out parties" increasing their spread

And blessed in their name who are—begging for bread!

Chief of the Nation to-day on the air,

And all the big talkers—with language to spare—

Urging the half poor, already well bled—

To save our prosperity—begging for bread!

Mr. BLAINE. Mr. President, it has been my pleasure, as well as my official duty, to vote for every authorization and appropriation designed for the purpose of relieving the people of my country in every emergency during the entire time I have been in this body. But I can not support this conference report. I can not support it because I believe it is a sham, that it is a wicked, cruel betrayal of the starving men and women in this country.

To propose this conference report is no credit to an American Congress. In the face of the facts which have been presented to the Congress, it is nothing short of a betrayal, and a most shameful betrayal, of the helpless ones who are entitled to the preservation of their lives.

Mr. President, I approach this proposition from another angle. I recall that internecine strife, that terrible conflict, which left the States and the people south of the Mason and Dixon line impoverished. A great area of our country had been swept over by victorious armies, and that great people were subdued. There was but a remnant of their economic prosperity remaining, and there were placed, as a burden upon those people, millions of another race. Those millions, while given their liberty, were left without a dollar. They had neither homes nor subsistence. That was the burden placed upon those people to the south of us as a result of that conflict.

It can not be said that I have ever entertained any sectional prejudices. I do not entertain them here this afternoon; but I do recognize national obligations. Not only millions of another color were left helpless and homeless and

destitute in the great section of the country to the south of us, but many of those in that same region, in whose veins was nothing by Aryan blood, were also impoverished.

The same States, burdened, bending under a heavy load of debt, struggling to advance their economic condition all through these sixty-odd years, have made a noble effort. They have made some wonderful advances, handicapped as they were. But ever since that conflict their handicaps have been multiplied. As they were taking an advanced step there came the hurricane from the Caribbean, bringing devastation, want, and destitution, halting those people in their advancement. Other handicaps befell them when the torrential rains from the heavens swept the fertility of their soil from the mountain sides and from the hillsides and from the valleys into the oceans beyond, and they were stopped again in their progress. That happened not only once but time and time again.

Then came the floods, destructive, carrying death and want and destitution again and again to halt those people in their march, in their endeavor to secure economic rehabilitation.

Then came the drought, the blistering, withering sun, and for months and months, yea, for a year, that drought has stricken them, another great handicap.

Mr. President, there was never a greater obligation imposed upon the Government of the United States than is imposed on it at this moment. These multiplied periods of hurricanes, floods, and drought have brought millions of people to destitution. The junior Senator from Arkansas [Mr. CARAWAY] the other day said a million people are to-day destitute and in want and hunger in his own section as the result of drought.

These are burdens which we should bear. They are national burdens. They are responsibilities we should face. As to how many people in those stricken areas are to-day reduced to absolute poverty we have no exact knowledge. I am accepting the evidence produced by the representatives from that area. It was only the other day when Representative RAGON, of Arkansas, inserted in the RECORD a report of the Red Cross showing that in a State with a population of something over a million eight hundred thousand people there were 519,516 individuals, almost a third of the population, who were assisted daily by the Red Cross.

The \$10,000,000 proposed to be raised for the Red Cross, to be used all throughout the United States, will be consumed by those half million alone. The \$10,000,000 represents only \$20 per capita for a half million people.

I confess, Mr. President, that I can not conceive how an individual can live—not one month, not two months, but live throughout the period when a new crop is being produced—upon the meager sum of \$20, out of which must be paid, if they are paid, the bills for necessary medical attendance. Over these same people to-day are sweeping the ravages of pellagra; and, as the daily papers report every day, smallpox, meningitis, all of the afflictions to which impoverished people are subjected. Payment for their food, their clothing, their medical attendance, all must come, in that one State alone, from a per capita payment of only \$20, through the long months yet before them. It will take \$10,000,000 to partially relieve the impoverishment in that State alone. And yet, Mr. President, we have come to the point where timidity causes the representatives of those people to be quite willing to submit to a willful Executive.

Mr. President, there is no more food in the proposal of the conference committee than there was in the \$45,000,000 appropriation measure. As a matter of fact, the conference report proposes the adoption of a measure more restrictive even than was the \$45,000,000 relief bill. Under the \$45,000,000 bill, after providing for the purchase of seed, feed for work stock, fertilizer, and fuel and oil for tractors used for crop production, it was then provided that the money might be used "for such other purposes incident to crop production as may be prescribed by the Secretary of Agriculture." That language gives the Secretary of Agriculture a discretion. It provides for such "purposes incident to crop production as may be prescribed by the Secretary of Agriculture."



ture," while in the conference report it is provided that the loans may be made as the loans may be made under the \$45,000,000 appropriation bill for certain specified purposes and "to make advances or loans to farmers for crop production for the crop of 1931 and for further agricultural rehabilitation."

Who is going to interpret what "agricultural rehabilitation" may mean? Identically the same agency of the Government, the Secretary of Agriculture, who has been interpreting the language contained in the \$45,000,000 appropriation measure, the language to which I called attention, "for such other purposes incident to crop production as may be prescribed by the Secretary of Agriculture." There is no provision contained in the language of the conference report that gives the Secretary of Agriculture any discretion whatever. I assume, Mr. President, that the Secretary of Agriculture will not violate the law. I assume that he will not endeavor to breach the law. He has no discretion under the conference report to extend the meaning and the limitations with respect to agricultural rehabilitation; but in the \$45,000,000 appropriation he has discretion. He can make advances or loans under the \$45,000,000 appropriation "for such other purposes incident to crop production as may be prescribed by the Secretary of Agriculture." I submit that the terms of the \$45,000,000 appropriation are far more liberal than are the terms which will be the guide of the Secretary as prescribed by the conference committee.

Mr. President, I observe that in a speech made by the junior Senator from Arkansas [Mr. CARAWAY] on December 19, 1930, he had this to say:

I had hoped that I should find in this conference report—That is, the conference report on the bill which had passed both houses of Congress prior to December 19 last and had gone to conference—

I had hoped that I should find in this conference report a recognition on the part of the Government, as voiced by the Congress, that human suffering is entitled to consideration. It is not in the bill, Mr. President.

He further said:

I can not deceive myself about it. It is out of the bill. There is not any authorization in the bill—and no one need vote for it with that belief—for the purchasing of one pound of food to alleviate the sufferings of starving humanity.

The Senator then was correct. The administration of the law justifies his declaration at that time. He repeated:

But there is not any food under this bill. There is not a bite of it. Nobody need vote for it with any belief that there is.

The administration of that law demonstrates the accuracy of the Senator's declaration. Then he proceeded to describe the conditions which exist.

I could fill a whole volume of the CONGRESSIONAL RECORD with letters and telegrams from presidents of banks—

Said the junior Senator from Arkansas—

from merchants, from lawyers, from judges of courts, from county officials, from farmers, and people in every walk of life, telling me that not only are the people without means, but they are actually starving, and there is no relief in sight.

No relief under the \$45,000,000 appropriation, and if the \$10,000,000 is gathered in by the Red Cross it will scarcely be sufficient to feed the starving people in one State alone, as I have undertaken to demonstrate.

Further describing the conditions that existed in his State, the junior Senator from Arkansas said, quoting an actual survey of some one who had gone out among the people on the farms, and I quote as the Senator then quoted:

In the first home I found 15 pounds of flour, 10 pounds of meal, 3 or 4 pounds of lard, and 2 pounds of meat; in the second home, 10 or 12 pounds of flour and 3 or 4 pounds of lard; in the third home, not more than 10 pounds of flour and 2 pounds of meat. These are typical of the entire rural population in that community.

Then the junior Senator from Arkansas proceeded in his own language:

Remember, that is all there is. There is not anything back of that; and in the same letter he said that school children were actually undergoing slow starvation.

Repeating, I presume for the sake of emphasis in that same speech, he declared:

There is not a mouthful of food in this bill for a single starving woman or child in America.

Then courageously he declared:

If it be a great victory to protect from increased taxation the men who piled up huge fortunes while the sons of these men stood in the trenches, in the mud and blood of their compatriots in France—if it be a great victory to protect these fortunes against an increase of taxation, although the bone and sinew of this country may starve—the administration has won it, Mr. President; and I am not deceiving myself. There is not any relief in this bill. There is not any disposition to relieve starvation in this bill.

Those are the words of the junior Senator from Arkansas spoken on the 19th day of December. We can apply to the present conference report every sentence then spoken, every declaration then made by the junior Senator from Arkansas, and we will have an accurate description of the pending conference report. There is no food in the conference report. The term "farm rehabilitation" is more restricted than was the language contained in the \$45,000,000 appropriation bill, which provided that loans or advances could be made "for such other purposes as may be prescribed by the Secretary of Agriculture." That is a more flexible provision, a provision that could be subjected to a broader interpretation than mere crop production; it reposed a discretion in the Secretary of Agriculture. Well might the Secretary of Agriculture have held in the exercise of that discretion that, "incident to crop production" food and clothing are necessary for those starving farmers; and he would have been within the law had he exercised the discretion reposed in him; but under the compromise provision, if he gives it the same limited interpretation he gave the other measure, then he would violate the law in advancing money by way of loans or otherwise for any other purpose or purposes than those specifically defined in the conference report.

Mr. President, I find that the junior Senator from Arkansas [Mr. CARAWAY] on the 14th of January this year made another very remarkable address in this Chamber. He outlined the conditions existing and quoted a statement by Mr. Payne, chairman of the National Red Cross, in which he said:

The situation in 21 States forms the greatest peace-time emergency in history.

Mr. President, that is one picture, a picture of an impoverished people, whom the President of the United States and the Secretary of Agriculture, with the consent and blessing of the leadership on the other side of this Chamber, propose to allow to continue to starve, suffer and die.

The letter from the President of the United States is a sham; it is as sounding brass; it means nothing. If we take that letter to mean that the Secretary of Agriculture may violate the law, it is unworthy of the Chief Executive of our Nation. If we take that letter to mean that out of the heart of the Secretary of Agriculture will come only fairness and sympathy I for one can find no food in that. If the President of the United States and the Secretary of Agriculture were frank and meant that the Secretary of Agriculture would advance money to feed the people in the drought-stricken areas, they would have said so in plain terms. It is language intended to deceive; it is language intended to cover up their meaning.

To whom are they to advance any sums under this bill? Only to one class, and that is the most-favored class, to men and women who have property. Ah, the senior Senator from Arkansas [Mr. ROBINSON] said that the bill did not provide a first mortgage lien on crops or property; that a man in distress might present a promissory note signed by a neighbor or by some one else as security. Mr. President, in the common experience of men in the ordinary affairs of life it is known that the man who has the confidence of a neighbor to such an extent that the neighbor would sign his note has food and clothing at his very door without any assistance from the Government or from the Red Cross or from charity. A neighbor whose name is sufficient security



on a note to warrant the Secretary of Agriculture to advance money, as I understand the men upon the farms and in the countryside, is of such sterling character that there would be no need or necessity to ask him to indorse a note as security. Such a man would have the means by which, because of his regard for his neighbor, he would advance the necessary funds for food and clothing.

Those who have property, those who may be able to put up security for loans, may obtain funds under the provision reported by the conference committee, but the men and women, by and large, who are suffering in this emergency, the impoverished people who possess neither homes nor funds nor friends who would secure a single dollar for them, are to be denied opportunity to secure funds under the terms of this proposed compromise.

Mr. President, it is proposed by this conference report to advance money to those now possessing the necessary property or the necessary security; it is proposed to save those men and women in their distress from the humiliation of seeking relief from charity; yes, it is proposed by this conference report to relieve them from that humiliation, but to make mendicants and beggars of the poverty-stricken people of this country, who have neither property nor money nor friends to furnish security for them; it is proposed to humiliate them and further reduce them in their impoverishment. In plain language, that is the proposal of the Secretary of Agriculture, of the President of the United States, and of the conference committee, by and with the consent of the leadership on the other side of the Chamber.

Mr. President, I have mentioned only a very few of the distressing conditions; they have been multiplied here in the RECORD; Senator after Senator has described the pitiful condition of tens of thousands, yes, hundreds of thousands of people in distress. Those men and women are to be further humiliated; they are to seek relief from charity.

Then, Mr. President, the same forces that are trying to drive through this conference report forget the other picture.

Mr. SWANSON. Mr. President, will the Senator yield for a moment?

The PRESIDING OFFICER (Mr. MORROW in the chair). Does the Senator from Wisconsin yield to the Senator from Virginia?

Mr. SWANSON. There is a bill from the other House which it is desired to send to conference.

Mr. BLAINE. I will give unanimous consent to nothing until we can dispose of this proposition. I am very sorry that I can not accommodate the Senator.

Mr. SWANSON. What I desire to have done will take but a moment. The House has asked for a conference on the public buildings bill, and I am anxious that the Senate should take action on that request.

Mr. BLAINE. I am not interested in a conference requested by the House or anyone else. I am interested in this conference report. I wish to analyze it, and not to be diverted in my course. I say that with the most kindly feeling toward the Senator from Virginia.

Mr. SWANSON. I understand that, and I have no desire of course to divert the Senator, but the bill to which I refer is the public buildings bill; it ought to be in conference, and it is customary to allow such action to be taken.

Mr. BLAINE. Mr. President, the people who have neither property, money, nor friends to offer security ought to be fed; they ought not to be further humiliated by compelling them to be beggars at the door of the Red Cross and private charity. This great Government, with all its riches, all its wealth, proposes to loan money to those who have, in order to save them from shame and humiliation, and at the same time further to drag down the impoverished people of this country into deeper depths of shame and humiliation.

I can not understand, Mr. President, why a single voice should be raised in defense of this shameful proposal that has been brought in here by the conferees. I care not who he is who advocates it or whence he comes, I say, Mr. President, it is no honor to our Government, it is no honor to Congress, to humiliate and impoverish, debase, and bring to shame these people who are without money, without property, and without friends.

Mr. President, I was about to enter upon another picture. It is not only the drought-stricken area and the flood-stricken area and the hurricane-stricken area that are in distress. There is another great area in the United States that is suffering to-day—the industrial area of the United States everywhere.

I think it has been demonstrated conclusively that there are at least 5,000,000 men out of employment in this country—5,000,000 men in industry, industrial workers, without a job. They are impoverished. Why? The great machines that have been invented and manufactured have displaced these men from their jobs, most of them. There is no way by which we can rehabilitate and revive those jobs under the modern inventive genius of the American people, which has produced this multiplicity of machines which in turn have displaced these workers. No relief is to be given to them. Their children are to remain ragged, hungry, starved, distressed. Their fathers and mothers are to be further impoverished, and yet the President of the United States and the Secretary of Agriculture and the conferees on this bill, by and with the advice and consent of the leadership on both sides of the Chamber, are willing to deny to those men, women, and children some measure of relief.

I observe that the distinguished leadership to which I have referred has been absent from the Chamber during the course of my remarks. I am not criticizing individuals. I am condemning a damnable system to which the representatives of these distressed people should not for one moment subscribe. I care not for the saving of faces. What I care for is the saving of human beings. Politicians may come and go, and feel secure and smug with complacency; but this long line of men and women and children will go on to such time as they will choose organized death rather than starvation at the hands of an incompetent government.

Mr. President, the most ridiculous spectacle I have ever seen is presented here to-day. Every entrance to this Capitol, every door admitting any individual to this Capitol, is guarded by men in uniform, armed with clubs and guns to protect us against an imaginary enemy. Yes; at every entrance to the Capitol, if you please, Mr. President, you must pass by a cordon of police going in twos and fours, even patrolling the Capitol Grounds against a bogie man, an imaginary enemy. We are to be protected against this imaginary menace that exists in the minds of those who would protect the very system that some day may provoke a righteous revolt.

Mr. President, down here in the fair State of Arkansas, at a little town named England, the newspapers some few weeks ago carried the news that there had assembled some three or four hundred country folks, men and women from the farms and the plantations, colored and white. They were all brought to the same distressing conditions and the same impoverishment by this sort of thing that we have heard called "the act of God," an act which some would claim shows scant mercy.

Our present distress is a respecter of neither color, creed, nor property, Mr. President. Three or four hundred men and women assembled down there in that community gave expression, not to resentment but to the pangs of hunger in making their assault upon the food stores of that community. Those men and women came from the countryside, not from the industrial centers of our Nation. They came from the farms and the plantations. They are being further and further impoverished. The very same conditions are eating into the vitals of the more virgin territories of our United States, where flood and drought and hurricanes have not wrought their disaster, reducing these country folks to a marginal basis, hundreds of thousands of them just on the verge of passing from a land-owning citizenship to a condition of tenantry.

Let that sort of thing go on and it will not take very long before the three or four hundred people who gathered down there in England, Ark., demanding food will be multiplied by 10; but a short time longer before that number will be multiplied by 100; and within a time of which we may all have knowledge that same condition will be reflected



in multiplication by a thousand. When that time comes, Mr. President, and the most stable of our citizenship are brought to starvation, then there will be no policemen or armies willing or able to defend the doors of this Capitol against stalking hunger.

I speak advisedly; but that is not all the picture. Here are these 5,000,000 industrial workers out of employment. Some of them may regain their jobs, but none of them will regain the jobs taken away from them by the machine. What are you going to do with them? What is going to be done by them? Why, they in turn must join the army of the country folks. Mr. President, from my place in this Chamber here this afternoon I warn that if the Senate of the United States and the Congress of the United States are to give scant consideration to even this temporary emergency that has brought distress to the workers and farmers alike another group will sit in the halls of Congress and in the Presidency, whose single purpose will be to give equality of opportunity to every man, woman, and child, and drive hunger and destitution and poverty out of our land.

That time will come, and in the not far-distant future, Mr. President. It will come with the same speed, the same acceleration, as is the tendency to-day for the accumulation of the wealth of this Nation in the hands of a few.

Mr. President, this emergency, whether in the drought-stricken area, or in the industrial area, with its unemployment, is but a single milestone. Any relief we may give here to-day is only temporary relief, oh, so temporary that it will be forgotten before Congress again reassembles in December. The conditions which have been described on the floor of this Chamber can not be rectified by any program of relief that has been suggested at this session. All of the appropriations for food, for fertilizer, for loans for seed, for wheat, all of the proposals, can never rehabilitate the impoverishment that has come up through the sixty-odd years to which I have referred, and the impoverishment that has come from the displacement of men in industry by the machine.

Mr. President, there is a bankrupt leadership in our country to-day. It is insolvent. It is a leadership which, for the alleviation of conditions so graphically described by others on this floor, writes more upon the debit side than it does upon the credit side. But that leadership, under the Constitution, is of limited duration. The best we may be able to do, little as it is and little as has been proposed, is to give some decent measure of relief in the present emergency.

We can at least challenge the bankrupt leadership of this administration. But that challenge forsooth is not made by another leadership on the Democratic side of this Chamber.

I can close with no softer words than I have expressed, that it is not to the credit of the United States, or to the credit of the Congress, or of the Senate to join in a cruel, wicked proposal of a bankrupt though willful leadership.

#### WOOD ALCOHOL

Mr. BROUSSARD. Mr. President, yesterday I offered a telegram from the President of the New Orleans Association of Commerce, which was printed in the RECORD. That telegram read as follows:

NEW ORLEANS, LA., February 8, 1931.

Hon. E. S. BROUSSARD,

United States Senate, Washington, D. C.:

Louisiana's great alcohol industry is seriously threatened by synthetic wood alcohol produced from waste gases. Manufacturers of this poison are circulating report that Bureau of Mines has given their product clean bill of health for antifreeze use, and refer specifically to that bureau's information circular 6415. Medical societies and other scientific bodies contend that wood alcohol both natural and synthetic is a deadly poison whether swallowed, inhaled, or absorbed. We urge your introducing appropriate Senate resolution which will disclose agreement and correspondence between Bureau of Mines and wood alcohol manufacturer. Reputable health societies and others support our position, as you will see from last paragraph of editorial Official Journal of American Medical Society of January 24, caption "Starting Misleading Methyl Chloride Publicity."

A. M. LOCKETT,

President New Orleans Association of Commerce.

Mr. President, I have complied with the request made by this constituent of mine, representing the largest commer-

cial association in my State, and I wish now, before reading my resolution, just briefly to lay before the Senate the situation which they present, and in their statement of which I thoroughly concur.

There is one proposition at least upon which all of us can agree; that is, that organized medicine, as represented by the American Medical Association, is a staunch friend of the American people, the watchdog of the people's health. In the expressions of its opinions on health matters it minces no words and shows no fear of powerful commercial influences or Government bureaucrats. Its latest warning holds up to question one of our most active Government departments, the Bureau of Mines, and expresses disapproval of its methods of conducting investigations of commercial products, especially when they are partly or wholly financed by the makers of the very articles under scrutiny.

In a blasting editorial in the January 24 issue of the association's official organ, the Journal of the American Medical Association, America's health guardians attack the Bureau of Mines for lending itself to subsidized commercial investigations involving public health, and criticizes specifically a report of the bureau recently issued on methyl chloride, a poisonous substance used in electric refrigerators. The report on that commodity, prepared at the request and expense of chemical manufacturers, drew sharp fire from the association for the apparent commercialization of its activities, and particularly for making public tentative findings which have called forth dissenting opinions from eminent scientists and physicians.

I will now read the editorial from the January 24 number of the Journal of the American Medical Association to which I have referred:

#### MISLEADING METHYL CHLORIDE PUBLICITY

In June, 1930, the committee on poisonous gases of the American Medical Association issued a report on Household Mechanical Refrigeration, emphasizing particularly the hazard arising from the use of methyl chloride in such devices. While methyl chloride when released in the atmosphere is less poisonous at the moment than either ammonia or sulphur dioxide, its action, unlike that of these substances, may be far more serious over a longer period. Its initial action is that of a narcotic akin to the chloroform type of anesthetic. Its secondary action is probably due to decomposition products, in which the primary harmful factor is methyl alcohol or some decomposition substances of methyl alcohol formed in the body, such as formaldehyde or formates.

At the time of its report the committee properly pointed out that it disapproved of the use of warning agents added to such substances as methyl chloride, because warning agents are not a guaranty of protection to infants, locked-in children, the mentally disordered, hospital patients, persons under the influence of alcohol, firemen, and refrigerator workers. The Journal stated editorially that from the point of view of the committee it is more commendable to work toward the attainment of a non-hazardous refrigerant than toward the attainment of a usable warning agent when this agent protects only a portion of the public.

Nevertheless, chemical manufacturers have apparently been able to induce the Bureau of Mines to make studies of the properties of methyl chloride and methyl chloride to which had been added acrolein, an irritating warning agent. One of these concerns, the Roessler & Hasslacher Chemical Co., markets methyl chloride under the trade name of "Artic" and "Methyl Chloride A," which is pure Artic plus 1 per cent of acrolein.

In May there appeared a report "at the request of the Roessler & Hasslacher Chemical Co." on the possibility of methyl chloride poisoning by ingestion with food and water. The report of the Bureau of Mines was written in such a way that it might lend itself to the production of advertising copy by writers seeking to create favorable propaganda for commercial exploitation of methyl chloride. The report of the Bureau of Mines emphasized that methyl chloride exerts no deleterious effects on the contents of the refrigerator and implies that it is therefore of no importance whether or not methyl chloride escapes into the refrigerator. The major point—the hazard of escaping methyl chloride to occupants near the source of the leak—is not stressed.

Following the reports of the Bureau of Mines, the Roessler & Hasslacher Chemical Co. circularized a booklet entitled "Artic." From this booklet one gains the impression that "Artic" is a relatively harmless substance and the last word in efficient and safe refrigerants. In view of both the unwarranted inferences and statements made in this booklet, the committee on toxic gases issue. The Roessler & Hasslacher Chemical Co., which has high-grade scientific men in its employ, has ignored reports that indicated definitely the hazards associated with methyl chloride. The favorable physiologic responses are overemphasized in the booklet Artic, whereas the unfavorable responses are minimized. When the attention of the Roessler & Hasslacher Chemical Co. was brought to the uncritical wording in the booklet on Artic, the reply by their service engineer and coauthor of the booklet was



that "you doctors are going a little out of your way to take a 'rap' at methyl chloride." The language and the intent of this expression are not eloquent or particularly rhetorical. It is, however, another tribute to the fact that the American Medical Association, through its committees, is willing to make fearless and unbiased reports when the health of the public is subject to jeopardy by undue hazards.

It is unfortunate that a branch of the Government, the Bureau of Mines, which has had such an enviable record in the past, has recently seemed to be swayed to serve more the interests of certain chemical manufacturers than to serve the interests of the public. It is laudable that the Government should investigate general hazards to the public, but it is quite unfortunate that independent action may be threatened by considerations arising from the fact that research is carried on under "cooperative agreements."

As these charges of the American Medical Association follow a similar attempted "whitewashing" by the Bureau of Mines of the more deadly wood alcohol, otherwise known as methanol or methyl alcohol, to which my attention has been particularly called by the medical authorities of my State and civic bodies, including the New Orleans Association of Commerce, I shall now set forth a letter written by Representative HUDSON, of Michigan, to Dr. Hugh S. Cumming, Surgeon General, Bureau of the Public Health Service, Treasury Department, and the latter's reply:

MAY 27, 1930.

DR. HUGH S. CUMMING,  
Surgeon General Bureau of the Public Health Service,  
Washington, D. C.

DEAR DOCTOR CUMMING: I am inclosing herewith an editorial from the Washington Post of May 25 headed "Poison alcohol," which emphasizes the menace to public health of the use of wood alcohol and synthetic methanol. Please note especially the statement that neither of these poisons is subject to Federal governmental control such as applies to industrial alcohol manufactured and sold under Treasury Department regulations. My attention was recently directed to a press release by the Commissioner of Prohibition in which he stated that synthetic methanol was coming into the market in substantial quantities and offered for general solvent purposes as well as for automobile radiator solutions; that such synthetic methanol has all the characteristics, physiological action, and effects of wood alcohol; and that such authorities as Dr. Reid Hunt, of Harvard Medical School, takes the position that the use of synthetic methanol will be followed by the same disastrous effects to life and vision as have been reported in cases of wood alcohol poisoning.

The courtesy will indeed be appreciated if you will let me hear from you at your earliest convenience on this subject with particular reference to the toxic effects of synthetic methanol by absorption through the skin or inhalation of fumes; apparently there is no doubt as to the results which follow the taking of the chemical into the stomach. My off-hand opinion is that in addition to the risks connected with the handling of synthetic methanol such as would ordinarily obtain in plant operations and around garages, filling stations, and the like vapors would be thrown off from heated engines in closed cars which might cause serious injury to the eyes, if nothing worse.

Very truly yours,

GRANT M. HUDSON, M. C.

TREASURY DEPARTMENT,  
BUREAU OF THE PUBLIC HEALTH SERVICE,  
Washington, June 3, 1930.

HON. GRANT M. HUDSON,  
United States House of Representatives,  
Washington, D. C.

MY DEAR MR. HUDSON: I beg leave to acknowledge the receipt of your letter of May 27, 1930, inclosing an editorial from the Washington Post, Poison Alcohol, and requesting a statement regarding the toxic effects of synthetic methanol by absorption through the skin or by inhalation of fumes.

I am inclosing a statement on this subject, prepared by Prof. Carl Voegtlin, chief division of pharmacology, National Institute of Health (Hygienic Laboratory), of this service.

I am returning the clipping from the Washington Post in accordance with your request.

Very truly yours,

H. S. CUMMING,  
Surgeon General.

HYGIENIC LABORATORY,  
Washington, D. C., May 29, 1930.

Memorandum in reply to a letter by the Hon. GRANT M. HUDSON, Member of Congress, concerning synthetic methanol

It has been well established that synthetic methanol has the same type of toxic action as ordinary wood alcohol. The earlier claims that synthetic methanol is less toxic than wood alcohol have been proven to be false. It is true, however, that certain samples of crude wood alcohol may contain some allyl alcohol, which is more toxic than methanol. Methanol is readily absorbed by the animal system when given by mouth. The poison is also taken up through the lungs when animals or man are

exposed to methanol vapor in air. Thus it has been shown by experiments on rats and dogs that the total amount of methanol absorbed through the respiratory tract varied from 0.32 to 0.55 gram per kilogram of body weight. Methanol is slightly more volatile than ethyl alcohol and grain alcohol, and there are several records in the medical literature reporting methanol poisoning in painters using paints containing methanol. The danger of poisoning would be especially great when the painters work in poorly ventilated or closed rooms.

There are also records in the scientific literature indicating that the repeated administration of methanol or methanol-containing preparations to the human skin may cause methanol poisoning and blindness.

To sum up, it would seem that the indiscriminate substitution of synthetic methanol for ethyl alcohol in the manufacture of paints, varnishes, antifreeze solutions, cosmetics, etc., would involve a serious hazard to the health of people. Certain States in the Union have enacted laws prohibiting the use of methanol in all preparations intended for internal administration.

Respectfully submitted,

CARL VOEGTLIN,  
Professor of Pharmacology.

This was not the first time that the Hygienic Laboratory—now known as the National Institute of Health under a law sponsored by my colleague [Mr. RANSDELL]—took a positive stand on this subject. Under date of May 16, 1930, Dr. A. M. Stimson, Assistant Surgeon General, Scientific Research Division, Bureau of the Public Health Service, Treasury Department, wrote the following letter to Thompson Specialties (Inc.), of Springfield, Mass., and inclosed a memorandum by Dr. Floyd DeEds, pharmacologist of the Hygienic Laboratory, which is most impressive as it contains references to scientific data supporting the position that wood alcohol—methanol—is a dangerous poison whether taken by mouth, breathed in as a vapor, or absorbed through the skin:

TREASURY DEPARTMENT,  
BUREAU OF THE PUBLIC HEALTH SERVICE,  
Washington, May 16, 1930.

THOMPSON SPECIALTIES (INC.),  
Springfield, Mass.

GENTLEMEN: In response to your telegraphic request for information regarding the use of methanol as an antifreeze, etc., you are advised that there is inclosed a memorandum on the subject prepared by Pharmacologist Floyd DeEds, of our Hygienic Laboratory.

By direction of the Surgeon General.

Respectfully,

A. M. STIMSON,  
Assistant Surgeon General, Scientific Research Division.

The memorandum referred to by Doctor Stimson reads as follows:

HYGIENIC LABORATORY,  
Washington, D. C., May 15, 1930.

Memorandum concerning the toxicity of methanol used as antifreeze in radiators, to be used in reply to telegram of Thompson Specialties (Inc.), Springfield, Mass., dated May 14

The toxic effects of methanol are dependent upon the total amount taken and upon individual susceptibility. It makes little or no difference whether the toxic dose is taken by mouth or breathed in as a vapor through the lungs.

Loewig and Heide have shown experimentally on rats and dogs that the total amount of methanol absorbed through the respiratory tract varied from 0.32 to 0.55 gram per kilogram of body weight. Transfer of such results to human beings means that if a person of 150 pounds' body weight inhales air containing 0.2 per cent methanol for eight hours he will absorb about 25 grams of it, a toxic dose for many individuals. Campbell has reported blindness from rubbing the chest with methanol twice daily for two weeks; Zeigler from exposure to fumes one hour daily for a month; Woods from rubbing the legs one hour daily for one month; Buller and Wood report 11 cases of poisoning by inhalation.

Up to the present time no cases of poisoning by inhalation of methanol fumes from antifreeze mixtures have been reported, but the above evidence indicates that such antifreeze mixtures are a potential source of danger. The possibility of rubbing methanol in the eyes during the handling of antifreeze mixtures containing methanol constitutes a menace because of the local irritation, hyperemia, and consequent increase in local absorption.

Respectfully submitted,

FLOYD DEEDS, Pharmacologist.

References: Pohl: Arch. f. exp. Path. u. Pharmacol., 1893, xxxi, 381. Loewig and Heide: Biochem. Zeitschr., 1914, lxx, 230. Eisenberg: Am. J. Public Health, 1917, vii, 765. Tyson and Schoenberg: J. A. M. A., 1914, lxxiii, 915. Campbell: Jour. Ophth. and Otolaryng. September, 1915. Zeigler, Arch. -phth., 1914, p. 516; J. A. M. A. 1921, lxxvii, 1160. Wood and Buller: J. A. M. A. 1904, xliii, 1117, 1220. Hunt, Reid: Indust. and Eng. Chem. 1925, xvii, 427, 763; Bull. Johns Hopk. Hosp. 1902, xii, 213. Robinson: J. A. M. A. 1918, lxx, 148. Tyson: Arch. Ophth. N. Y., 1915, xlv, 275. Hawes: Boston Med. and Surg. Jour., 1905, p. 525.



Mr. President, I have a copy of a telegram sent by Dr. Carey P. McCord, head of the Industrial Health Conservancy Laboratories, 34 West Seventh Street, Cincinnati. He was asked by the health officer of the State of Washington his opinion as to the toxicity of methyl alcohol. This morning I telegraphed Doctor McCord and asked if I might use the telegram which he had sent to the health officer of the State of Washington. I received the following reply:

CINCINNATI, OHIO, February 10, 1931.

Senator E. S. BROUSSARD:

Having sent telegram to Doctor Stuht I regard opinions expressed therein as now published and therefore do not object to your use of material if used in entirety, provided use is for public good in ultimately eliminating or lessening poisoning from methyl alcohol. Have in hand and in process much more experimental material substantiating opinions expressed in Stuht telegram. This additional material will shortly be published in scientific journals. As private scientific investigator in field industrial toxicology am led to inquire why Bureau of Mines should be engaged in toxicologic studies such as methyl alcohol, which apparently has no connection with mines and mining.

CAREY P. MCCORD.

Having his permission I now ask unanimous consent to insert in the RECORD the entire telegram of Doctor McCord to which I have just referred.

The VICE PRESIDENT. Without objection, it is so ordered.

The telegram is as follows:

[Telegram]

FEBRUARY 4, 1931.

To Dr. A. E. STUHT,

Director of Health, State of Washington,  
Care of Olympian Hotel, Olympia, Wash.:

Replying to your telegram regarding toxicity of methyl alcohol, advise this organization has carried out extensive experimental work, using monkeys, rabbits, white rats. Testing with both natural and synthetic methanols for toxicity by inhalation, skin absorption, and by mouth. By inhalation of dilution, methanol vapors one-tenth of 1 per cent killed some but not all animals within 40 hours of intermittent exposure, with detection at death of methanol or formaldehyde in nine organs, including brain, liver, kidney, and blood on chemical analyses. One and one-third ounces of methanol on evaporation will provide concentration of one-tenth of 1 per cent of vapors in room 9 by 9 by 9 feet and thus provide potential harm to human beings if this concentration is sustained, and assuming that human susceptibility be not less than for monkeys. Higher concentrations than one-tenth of 1 per cent regularly produce harm with death after four or five exposure periods of seven hours each in concentration ranges 20,000 to 40,000 vapor parts per 1,000,000 of air. Repeated application of 3 mls methanol to abdomen of monkey under conditions preventing concurrent inhalation leads to clinical sickness on fifth day; hepatitis and jaundice shortly, followed by optic atrophy demonstrated after death. Application of 40 mls methanol to abdomen of monkey in four doses caused death after 18 hours with characteristic autopsy findings. No marked differences in action of natural and synthetic methanol. Dilution of synthetic methanol to concentration recommended for antifreeze use promptly produces death of monkey by skin absorption, applying 10 mls. Have record of not less than 15 human fatalities within past three months from beverage use of methanols obtained from commercial sources such as filling stations. My opinion is that methanol, either natural or synthetic, is even more toxic than heretofore known; that intoxication by inhalation and skin absorption is well established in animals most similar to man; and that public should be protected by education and intelligent practical restrictions.

CAREY P. MCCORD.

Mr. BROUSSARD. Mr. President, all of this has been said because of the fact that as far back as 1906 the different trades and industries in the country, realizing the necessity for a solvent in the manufacture of paints and in the making of almost everything that is manufactured, suggested that ethyl alcohol be made so that it could not be used as a beverage, thus saving internal revenue tax and thereby make it as cheap as possible. It was because of the necessity for this great solvent that in 1906 the Congress removed the tax altogether on industrial alcohol. To-day that industry is under the supervision of the Government.

On the other hand, synthetic wood alcohol, methanol—that which is derived from gases and that which is made otherwise—is manufactured under no supervision at all; but it is a deadly poison. Anybody who has enough interest in seeing that the people of the country are protected against such a serious threat, not apparent to the user, will readily be convinced that there is great necessity for some restric-

tion. For instance, synthetic wood alcohol—methanol—is served in garages and in the different industries which use solvents under as many as 20 different names, all sorts of names that disguise the real name or the article. The painters of the country are now being subjected to its dangers—not only the painters, but people who frequent places that are being painted or who work in places where such deadly solvents are used. They are constantly in danger of losing their eyesight or absorbing enough poison to kill them. As an evidence of that fact, I wish to read resolutions unanimously adopted at the Forty-third Annual Convention of the National Paint, Oil, and Varnish Association, Toronto, Canada, October 18, 1930.

Whereas in its report for the fiscal year just ending the alcohol committee has directed attention to the fact that the greatly increased production of methanol (wood alcohol) by synthetic processes may bring about conditions in our industry which will seriously affect the health and lives of workmen engaged in the solvent, antifreeze, and other fields of commercial activity; and

Whereas the alcohol committee recommends that this association closely follow developments regarding the toxicity of methanol (wood alcohol), with due regard to the fact that one of the principal reasons prompting Congress to enact the original tax-free denatured alcohol law of June 7, 1906, was to provide the arts and industries with efficient denatured ethyl alcohol formulae which would relieve factory workmen and others concerned from dangers to health incidental to the use of wood alcohol: Therefore be it

Resolved, That the alcohol committee be, and it hereby is, authorized, empowered, and directed to continue its investigations relative to the toxicity of methanol (wood alcohol)—natural and synthetic—in connection with commercial uses of interest to the members of this association, with particular reference to dangers from inhalation or skin absorption, and to report its further recommendations at such time as may be proper in the circumstances.

Mr. President, the complaint against the Bureau of Mines is that after a conference between the Bureau of Public Health and the Department of Commerce, in which the Bureau of Mines participated, and at which it was agreed that the Public Health Service should make an investigation and report upon the toxicity of methyl alcohol, the Bureau of Mines, so it is represented to me and so it is alleged by those who know the facts, received money from a certain industry in this country, conducted experiments and anticipated the Public Health Service in making a report which is being used to deceive the public as to the real menace in the use of this article.

I have a resolution pending calling upon the Bureau of Mines to submit to the Senate such agreements as that bureau had, the names of the parties who furnished the funds with which the experiment was conducted, and the officials who lent their names in order to permit this propaganda to be carried out in the country. That is the resolution which I am now asking the Senate to adopt, and I ask unanimous consent for its present consideration.

Mr. SMOOT. Mr. President, I have been informed that there is objection to the resolution, and I would not want to agree to have it considered now. Will not the Senator allow it to go over until I see the Senator who spoke to me about it?

Mr. BROUSSARD. I offered the resolution yesterday and gave notice that I was going to ask for its consideration to-day.

Mr. SMOOT. I know the Senator did.

Mr. BROUSSARD. Does the Senator know of any objection to it?

Mr. SMOOT. Yes; I do; and that is the reason, I say, if the Senator will allow me, that it ought to go over now. I will then see the Senator who spoke to me about it. Then if he wants to come in and object to the resolution he can do so, and if he does not so desire the Senator can proceed with his resolution.

Mr. BROUSSARD. I can not have the resolution considered except by unanimous consent. The purpose of the resolution is, as anyone will see who will read it, merely to ascertain why the Bureau of Mines, after it had an agreement with the Public Health Service whereby that service was to make the investigation, accepted funds from a particular industry and issued a circular, which has been broad-



casted throughout the United States, in which the people are made to believe that there is no danger at all from the use of methyl alcohol, whereas it is a known fact that it is most dangerous for an individual to handle. For instance, when it is used in an automobile as an antifreeze and a man working in a garage puts water in the heated radiator of the automobile, practically every scientist claims he is bound to be affected. I am merely asking that the Bureau of Mines submit to us the contract they had for making this investigation and with whom they made it.

Mr. SMOOT. I ask that the resolution go over until to-morrow. The Senator can bring it up then.

The VICE PRESIDENT. Objection is made.

#### EXECUTIVE MESSAGE REFERRED

A message from the President of the United States making sundry post-office nominations was referred to the Committee on Post Offices and Post Roads.

#### INTERIOR DEPARTMENT APPROPRIATIONS—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to the conference report.

#### SHORTER WORK WEEK FOR POSTAL EMPLOYEES

Mr. THOMAS of Oklahoma obtained the floor.

Mr. ROBINSON of Arkansas. Will the Senator yield to me for a moment?

Mr. THOMAS of Oklahoma. I yield.

Mr. ROBINSON of Arkansas. I ask the attention of the Senator from Oregon [Mr. McNARY], the Senator from Wisconsin [Mr. LA FOLLETTE], and other Senators. There is a unanimous-consent agreement in force which provides for the taking up of the bill (H. R. 6603) to provide a shorter work week for postal employees, and for other purposes, at 7.30 o'clock to-night, and for a limitation on debate of five minutes, to go into effect at 8 o'clock. There are a number of Senators who are supporting the bill who would like to be present when a vote on the bill is had.

My investigations have led me to the conclusion that there is practically no opposition to the passage of the measure, but I am wondering whether the Senator from Wisconsin would be willing to move forward that part of the arrangement now in force so that we may proceed to-morrow at 12 o'clock to the consideration of that bill, permitting the same limitation on debate to stand. It is my thought that it will probably not require more than a few minutes to dispose of the bill when it shall have been reached, but perhaps a dozen Senators have asked me to see if such an arrangement as I propose could be effectuated.

Mr. LA FOLLETTE. Mr. President, I would have no objection to the suggestion made by the Senator from Arkansas providing it is satisfactory to the Senator from Utah.

Mr. SMOOT. Mr. President, I want some limit placed in the unanimous consent upon the time which may be occupied.

Mr. ROBINSON of Arkansas. I have suggested a limit. The limit is that the Senate proceed at 12 o'clock to-morrow to the consideration of the bill, and that after 12.30 o'clock no Senator shall speak more than once or longer than five minutes on the bill or any amendment thereto, which would assure, I believe, its disposition in a few minutes.

Mr. SMOOT. Why not, then, say that a vote shall be taken not later than a certain hour?

Mr. ROBINSON of Arkansas. For the simple reason that the Senator from Washington [Mr. JONES] will not consent to that. I would be glad to have that done, and so would the Senator from Wisconsin.

Mr. JONES. Mr. President—

Mr. ROBINSON of Arkansas. I will yield to the Senator from Washington in a moment. I wish to say that a number of Senators who are interested in the bill can not be present to-night, and it is in their interest that I am making

this request. The unanimous-consent agreement was first expected, as the Senator from Oregon will bear witness, to have relation only to the consideration of unobjected bills on the calendar, but some Senators who are especially interested in the measure to which I have referred would like to be recorded on it, and they will be unable to be present to-night.

Mr. JONES. Mr. President, I feel, under the suggestion of the Senator from Arkansas, that there will be very little delay to-morrow. I am satisfied that under the 5-minute rule it will probably not take more than 15 or 20 minutes to dispose of the bill.

Mr. ROBINSON of Arkansas. I do not believe there will be any prolonged discussion whatever. I think the bill could be voted on within a very few minutes.

Mr. SMOOT. We should have an understanding then that the Senate will take a recess until 11 o'clock to-morrow. I suppose there will be no objection to that.

Mr. BORAH. To a recess until 11 o'clock to-morrow?

Mr. SMOOT. Yes.

Mr. BORAH. Mr. President, a very important meeting of the Committee on Foreign Relations is to be held in the morning. We have called witnesses here from a distance on two important matters.

Mr. ROBINSON of Arkansas. I do not believe it will require 30 minutes to dispose of this bill if we make it a special order.

Mr. McNARY. Mr. President, when I proposed the unanimous-consent agreement a few days ago I had in mind exclusively the consideration of bills on the calendar. I think inasmuch as that was agreed to, and the affairs of most Senators have been adjusted to that situation, that we should go forward with the debate to-night. When that is exhausted, I think we can set a time, say, 12 o'clock to-morrow, for a vote on the bill referred to by the Senator from Arkansas. I think that would carry out the spirit of the agreement.

Mr. ROBINSON of Arkansas. That is just what we can not do.

Mr. McNARY. I think we can do it; we can make the effort, at least. The Senator from Washington [Mr. JONES], as I understand, does not want any particular time set which would foreclose debate. I do not want to foreclose debate, but to proceed with the debate to-night, and when it is exhausted in the natural way, to vote at 12 o'clock to-morrow, is reasonable, and will surely satisfy the Senator from Washington.

Mr. ROBINSON of Arkansas. May I ask the Senator from Washington if he approves the proposal I have made?

Mr. JONES. As I understand the proposal of the Senator, it is that debate be exhausted to-night and that we reach a vote at 12 o'clock to-morrow. That is entirely satisfactory to me.

Mr. ROBINSON of Arkansas. I thought the Senator from Washington first stated he would not agree to that. I have no objection to that arrangement.

Mr. JONES. When debate shall have been exhausted, I will be ready to vote, and the vote may be taken at 12 o'clock to-morrow, so far as I am concerned.

The VICE PRESIDENT. Will the Senator from Arkansas please again state his request?

Mr. SMOOT. I should like to have it understood that the Senate will take a recess until 11 o'clock to-morrow if an agreement is made to vote on the bill at 12.

Mr. BORAH. I have stated, Mr. President, that a meeting of the Committee on Foreign Relations is to be held to-morrow morning, and I should not like to see an earlier hour set for the meeting of the Senate.

Mr. ROBINSON of Arkansas. Mr. President, I will submit the request as modified at the suggestion of the Senator from Oregon. I ask unanimous consent that when debate shall have been exhausted on House bill 6603 this evening a final vote on all amendments and on the passage of the bill shall be postponed until 12 o'clock to-morrow.

Mr. BARKLEY. Mr. President, does that request contemplate that debate must be exhausted this evening?



Mr. ROBINSON of Arkansas. The unanimous-consent agreement does contemplate the exhaustion of debate to-night.

Mr. LA FOLLETTE. May I say to the Senator from Kentucky that my information confirms the opinion expressed by the Senator from Arkansas that there will not be very protracted debate.

Mr. BARKLEY. Did we not enter into an agreement the other day as to a limitation of debate?

Mr. LA FOLLETTE. It is to be limited only in so far as the length of speeches of Senators is concerned; there is no time fixed for a final vote.

Mr. BLAINE. Mr. President—

The VICE PRESIDENT. The Senator from Wisconsin.

Mr. BLAINE. I can not consent to a vote at 12 o'clock. The special committee of which I am chairman has had a great deal of difficulty in arranging about taking the testimony of a certain witness. We have arranged for a meeting to-morrow morning, beginning at 10.30, and I am quite convinced that it will be impossible to conclude that hearing by 12 o'clock. There may be some Senators who are not interested in the general business of the Senate, but I think those of us who attend here daily and hourly and are attempting to carry on the work assigned to us by the Senate are entitled to be given as much consideration as those Members of the Senate who are indifferent. I am not criticizing those Senators; I am simply stating that those who are diligent and whose time is taken up with matters directed by the Senate ought to receive some consideration. I have no objection to a vote being taken at 1 o'clock.

Mr. ROBINSON of Arkansas. Well, I will modify the request as follows: That when the debate on House bill 6603 shall have been exhausted in accordance with the existing unanimous-consent agreement a final vote on the bill and all amendments thereto shall be postponed until 1 o'clock to-morrow. Is there objection? [Laughter.]

The VICE PRESIDENT. Under the rule there will first have to be a roll call. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Fess	King	Schall
Barkley	Fletcher	La Follette	Sheppard
Bingham	Frazier	McGill	Shipstead
Black	George	McKellar	Shortridge
Blaine	Gillett	McMaster	Smith
Blease	Glass	McNary	Smoot
Borah	Glenn	Metcalf	Steiwer
Bratton	Goff	Morrison	Stephens
Brock	Goldsborough	Morrow	Swanson
Brookhart	Gould	Moses	Thomas, Idaho
Broussard	Hale	Norbeck	Thomas, Okla.
Bulkley	Harris	Norris	Townsend
Capper	Harrison	Nye	Trammell
Caraway	Hatfield	Oddie	Tydings
Carey	Hawes	Partridge	Vandenberg
Connally	Hayden	Patterson	Wagner
Copeland	Hebert	Phipps	Walcott
Couzens	Heflin	Pine	Walsh, Mass.
Cutting	Howell	Pittman	Walsh, Mont.
Dale	Johnson	Ransdell	Waterman
Davis	Jones	Reed	Watson
Deneen	Kean	Robinson, Ark.	Wheeler
Dill	Kendrick	Robinson, Ind.	Williamson

The VICE PRESIDENT. Ninety-two Senators have answered to their names. A quorum is present. Is there objection to the request made by the Senator from Arkansas?

Mr. COUZENS. Mr. President, may it be read? The request has not been read since we had a quorum call.

The VICE PRESIDENT. It has been stated several times, but it will be stated again.

The Chief Clerk read as follows:

That when debate has been exhausted this evening on House bill 6603, to provide a shorter work week for postal employees, and for other purposes, a final vote on the passage of the bill and all amendments thereto be postponed until 1 o'clock p. m. to-morrow.

The VICE PRESIDENT. Is there objection?

Mr. COUZENS. I shall object to that unless I know the reason for it.

Mr. ROBINSON of Arkansas. Mr. President, that was very thoroughly discussed before the Senator came in.

Mr. COUZENS. It was discussed before we had a quorum call.

Mr. ROBINSON of Arkansas. Yes.

A number of Senators have requested me to make some arrangement in the nature of that which is proposed in the unanimous-consent agreement because some time ago they had made engagements which will require them to be elsewhere than at the Senate this evening. At the request of perhaps 8 or 10 Senators I made the suggestion; and the Senator from Wisconsin [Mr. LA FOLLETTE] has agreed to it after somewhat full discussion.

Mr. COUZENS. Would that interfere in any way with going through with the calendar?

Mr. ROBINSON of Arkansas. Not at all. It will in all probability facilitate and speed up the consideration of the calendar.

The VICE PRESIDENT. Is there objection to the proposed unanimous-consent agreement? The Chair hears none, and it is so ordered.

#### JUDGE D. LAWRENCE GRONER

Mr. GLASS. Mr. President, I ask unanimous consent, as in executive session, to confirm the nomination of D. Lawrence Groner as associate justice of the Court of Appeals of the District of Columbia, unanimously reported from the Committee on the Judiciary.

The VICE PRESIDENT. Is there objection? The Chair hears none. Without objection, the nomination is confirmed. The Senate resumes legislative business.

#### WOOD ALCOHOL

Mr. BROUSSARD. Mr. President, I request that the resolution which I discussed a while ago, Senate Resolution 437, may be printed for the information of the Senate.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BROUSSARD. I should like to make a parliamentary inquiry. Under the unanimous-consent agreement that has been entered into there will be no consideration of the calendar this afternoon, will there?

Mr. ROBINSON of Arkansas. Oh, yes.

The VICE PRESIDENT. Unobjected bills on the calendar will be considered to-night.

#### INVESTIGATIONS BY TARIFF COMMISSION

Mr. COPELAND. Mr. President, I wish to ask the Senate to rescind a resolution I presented calling for certain tariff investigations. I ask unanimous consent that it may be read and put on its immediate passage.

The VICE PRESIDENT. The resolution will be read for the information of the Senate.

The resolution (S. Res. 439) was read, as follows:

Whereas the United States Tariff Commission was directed by S. Res. 313 and S. Res. 324, under the authority conferred by section 336 of the tariff act of 1930, and for the purposes of that section, to investigate the differences in the costs of production of reptile-skin leather for shoe purposes, and of confectionery and chocolates, and of any like or similar foreign articles: Therefore be it

Resolved, That such direction as to reptile-skin leather for shoe purposes, confectionery, and chocolates, be hereby rescinded.

Mr. LA FOLLETTE. Mr. President, may I ask the Senator why this action is proposed to be taken? What is the reason for abandoning the investigation?

Mr. COPELAND. The parties in interest who urged me in the first place to present the resolution have decided that they are satisfied to leave the matter as it is.

Mr. LA FOLLETTE. Are all of the parties in agreement?

Mr. COPELAND. They are all in agreement. I desire to say that this resolution does not touch chocolate in 10-pound lots, which is the subject of a resolution presented by the senior Senator from Massachusetts [Mr. GILLETT]; but, as regards all other matters, the parties in interest are in agreement.

Mr. LA FOLLETTE. Do I understand the Senator to say that the parties desiring the chocolate investigation also concur in this action?

Mr. COPELAND. No. The resolution that I have put in relates wholly to confectionery. The Senator from Massachusetts [Mr. GILLETT] introduced a resolution asking for



an investigation of bars of chocolate. My resolution rescinding our action does not apply to the matter he presented.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

Mr. BLAINE. Mr. President, I offer a resolution directing the Tariff Commission to investigate the difference in the cost of production of domestic cotton velvets and velveteens and any like or similar foreign articles. I am persuaded that the tariff on those two articles is excessively high.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 440) was read, as follows:

*Resolved*, That the United States Tariff Commission is directed, under the authority conferred by section 336 of the tariff act of 1930, and for the purposes of that section, to investigate the differences in the costs of production of domestic cotton velvets and velveteens and of any like or similar foreign articles (par. 909).

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

#### GEORGE WASHINGTON BICENTENNIAL COIN

Mr. FESS. Mr. President, there has been a desire to issue a coin in honor of the bicentennial next year of George Washington. There is an objection on the part of the Treasury Department to issuing any special coin; but the Treasury recommends that a quarter dollar be issued displacing the quarter dollar that is now in circulation, stating that that particular coin is very difficult to engrave.

The new quarter dollar could be issued in 1932 as a part of the Government's participation in the two hundredth anniversary celebration. Coins of the proposed new design would replace the current quarter dollar, and would be placed in general circulation throughout the country at their face value, and not as a special coin.

The Treasury Department also says that the design of the current quarter dollar has been the subject of considerable criticism. It wears very badly, and is a difficult coin to manufacture. The design is too elaborate for the small surface, and it is almost impossible to bring the details into proper relief. It has been suggested that a new quarter be issued with the portrait of Washington on one side, and on the reverse side a beautiful design. I have introduced a bill granting that authority, and the committee has unanimously reported it favorably. I now make the report, and ask unanimous consent for its immediate consideration.

Mr. SMOOT. Mr. President, from what committee does the report come?

The VICE PRESIDENT. The clerk will state the report for the information of the Senate.

The CHIEF CLERK. From the Committee on the Library, the Senator from Ohio [Mr. Fess] reports back favorably without amendment Senate bill 6103, to authorize a change in the design of the quarter dollar to commemorate the two hundredth anniversary of the birth of George Washington.

Mr. GLASS. Mr. President, the Committee on the Library has nothing to do with matters of that kind. The bill ought to have gone to the Committee on Banking and Currency.

Mr. FESS. We talked about that; but it is not a matter of currency, and it is not a matter of banking.

Mr. GLASS. The proposal is to issue currency, as I understand.

Mr. FESS. It is a matter of a memorial, which is properly in the hands of the Committee on the Library.

Mr. SMOOT. The coin will enter into business circulation as currency, will it not, just the same as any other coin?

Mr. GLASS. I venture to say that the Senator from Ohio can not recall a single instance when a bill of that sort has not gone to the Committee on Banking and Currency.

Mr. FESS. I talked with the parliamentarian about it. The only basis for sending the bill to the Committee on the

Library was that this coin is being issued as a memorial coin.

Mr. ROBINSON of Arkansas. It is to take the place of the quarter-dollar design now in circulation?

Mr. FESS. It is.

Mr. ROBINSON of Arkansas. It will not increase the number in circulation?

Mr. FESS. No.

Mr. ROBINSON of Arkansas. That is the principal objection to the bill, Mr. President. The objection that I find to the quarter dollars now in circulation is that they are not sufficiently numerous. [Laughter.]

Mr. FESS. Mr. President, I ask to have printed in the RECORD a letter from the Secretary of the Treasury on this subject.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SECRETARY OF THE TREASURY,  
Washington, February 7, 1931.

MY DEAR SENATOR: Referring to your conversation concerning the matter commemorating the two hundredth anniversary of the birth of George Washington by the issue of special coins, I am inclosing draft of proposed legislation which has the approval of the Treasury Department.

In the attached bill it is proposed to commemorate the two hundredth anniversary of the birth of George Washington by changing the design of the current quarter dollar so that the portrait of George Washington shall appear on the obverse with appropriate designs for the reverse. The new quarter dollar could be issued in 1932 as a part of the Government's participation in the two hundredth anniversary celebration. Coins of the proposed new design would replace the current quarter dollar and would be placed in general circulation throughout the country at face value and not as a special coin to be sold at a premium. As the new coins would replace the present type of quarter dollar, the issue of the same would not be contrary to the objections set forth by the President in his veto message in connection with the issue of special commemorative coins.

In view of the provisions of section 3510 of the Revised Statutes (sec. 276, title 31, U. S. C.) prohibiting the making of any change in the design or die of a coin oftener than once in 25 years without authority of Congress, and since the design of the current quarter dollar was adopted in 1916, this legislation will be required and will be sufficient to enable the Treasury to make the change. No appropriation will be necessary beyond that already provided for the mint service.

The design of the current quarter dollar has been the subject of considerable criticism. It wears very badly and is a difficult coin to manufacture; the design is too elaborate for the small surface, and it is almost impossible to bring the details into proper relief.

A similar letter has also been addressed to Congressman BLOOM, who also discussed the matter with the Treasury Department.

Very truly yours,

A. W. MELLON,  
Secretary of the Treasury.

HON. SIMEON D. FESS,  
United States Senate.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which was read, as follows:

*Be it enacted, etc.*, That notwithstanding the provisions and limitations of section 3510 of the Revised Statutes, as amended, the Secretary of the Treasury is authorized and directed, for the purpose of commemorating the two hundredth anniversary of the birth of George Washington, to change the design of the 25-cent piece so that the portrait of George Washington shall appear on the obverse, with appropriate devices on the reverse, of said piece. The new coins shall be issued for general circulation beginning in 1932, the year of the said bicentennial anniversary.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### CONSTRUCTION OF PUBLIC BUILDINGS

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 16297) to amend the act entitled "An act to provide for the construction of certain public buildings, and for other purposes," approved May 25, 1926 (44 Stat. 630), and acts amendatory thereof, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. SWANSON. I move that the Senate insist on its amendments and agree to the conference asked by the House, and that the Chair appoint the conferees on the part of the Senate.



The motion was agreed to; and the Vice President appointed Mr. SWANSON, Mr. FESS, Mr. McMASTER, Mr. GOULD, and Mr. ASHURST conferees on the part of the Senate.

#### INTERIOR DEPARTMENT APPROPRIATIONS—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes.

The VICE PRESIDENT. The question is on the adoption of the conference report.

Mr. THOMAS of Oklahoma. Mr. President, it is now 4.45 o'clock. We have before us a most important proposition, the conference committee report on the Interior Department appropriation bill. In this report millions of our fellow citizens are vitally interested. During the afternoon for hours less than 10 per cent of the membership of this body was upon the floor. At times the attendance here was as low as three. I wonder why?

The papers this morning carried the information that some sort of an army was to march upon the Capitol this day. We were told a few moments ago by the junior Senator from Wisconsin [Mr. BLAINE] that at this time guards are stationed at every entrance to this building, that guards are around through the Capitol Grounds, and I am just wondering whether some of the absentees on this day were unable to gain entrance to this body. Perhaps their shattered nerves would not permit them to get here.

Mr. President, some time ago we heard a very impassioned speech in this Chamber to the effect that we were to stay here and see that the people of this Nation were fed. Not so long ago a conference was held not far from this building, and in that conference it was agreed that we should see to it that steps would be taken so that people who were in need could get some relief. Here we are, at nearly 5 o'clock on this day, proposing to adopt a conference report which gives no one in need a single meal. There is not a mouthful of food provided for in this conference report.

At this time I want to read a letter; and I have several of them. I select this one at random. It is written by a farmer, written on the cheapest of paper, written with a pencil. He says:

Am inclosing a clipping taken from a Bartlesville (Okla.) paper showing how this loan is to be worked out. In a personal talk to the farm agent he said that a farmer making application for a loan would be offered all the discouragement possible. If I could draw you a picture it would be Congress trying to hand the farmer something, with some one between saying to the farmer, "Try and get it."

I think a majority of Congress are trying to do a good work. But they are not working hard enough. A man ought to put up a terrible battle for \$10,000 per year.

Mr. President, that comes from one of the citizens of this Republic, a man who is in need. That is his estimate of the kind of fight being made here for the millions of our fellow citizens who are hungry, in distress, and on the verge of starvation.

I next call the attention of the Senate to a telegram just received from the president of one of the banks of one of the important cities of the country. I read:

ARDMORE, OKLA., February 9, 1931.

HON. ELMER THOMAS,

United States Senate, Washington, D. C.:

Thousands of farmers of this State have feed and seed, but not one cent for food. No credit at store or bank account. Mortgages for more than value of crop and chattels. Large per cent of land owned by nonresidents; impossible to get waiver from landowner in time to plant crop. This waiver should be eliminated. Landowner hard up as tenant. Cut out red tape and put application mortgage and bank waiver on one sheet. Red Cross doing well with desperately needy. Pay soldiers 50 per cent of bonus. Pro rate foreign imports of oil to jibe with home proration. This Nation will snap out of depression in 30 days with this help.

M. GORMAN,

President American Bank & Trust Co.

I now call the attention of the Senate to another telegram just received from a responsible citizen of one of the sovereign States of this Nation. I read:

Sixty per cent farm lands Le Flore County held by foreign owners representative of loan foreclosures, who will not sign landlords'

waiver on farm loans. Red Cross feeding approximately 2,000 farmers now. At least 1,000 farmers in Le Flore County will be unable to make crop this year unless this landlords' waiver provision abrogated. Will you communicate Oklahoma's Representative and see Secretary and advise by wire. Everything tied up and you know landlord Oklahoma only has lien for his share of crops.

GROVER FLANAGAN.

Mr. President, I submit this inquiry to anyone who will attempt to answer it: If this conference report shall be agreed to and \$20,000,000 additional appropriated, will this landlord waiver proposition be abrogated? This afternoon the Department of Agriculture served notice that it will not be waived. In one county there are a thousand farmers without security, unable to secure any benefits from this proposed legislation.

Mr. President, I desire to call attention to what will be the law if this report is approved. If this \$20,000,000 appropriation is approved, here are the possible ways in which the money may be expended, and these are the only ways in which it can be expended. First:

(1) To make advances or loans to individuals in the drought and/or storm or hail stricken areas of the United States for the purpose of assisting in forming local agricultural-credit corporations—

That is No. 1. This money can be used to assist in the formation of some kind of a credit corporation. Will these distressed farmers profit through that organization?

Second, "livestock loan companies." Will these farmers profit through that sort of an organization?—

or like organizations, or of increasing the capital stock of such corporations, companies, or organizations qualified to do business with Federal intermediate-credit banks, or to which such privileges may be extended, and/or of making loans to individuals upon the security of the capital stock of such corporations.

That is No. 1. If this \$20,000,000 is made available, companies can get it, corporations can get it, or men who have stock in such credit organizations and in such companies can hypothecate their stock and raise money.

Mr. President, that class of our citizens have no trouble now in securing funds. They are not in distress. Yet the first purpose of this bill is to furnish companies and corporations and the stockholders in those companies and corporations some assistance. I contend that they do not need it.

(2) To make advances or loans to farmers for crop production for the crop of 1931 and for further agricultural rehabilitation in the drought and/or storm stricken or hail stricken areas of the United States. The advances and loans made pursuant to this act and amendment thereto shall be secured by liens on crops or by other security, under such rules and regulations as the Secretary of Agriculture may prescribe.

Mr. President, the first provision is that this money could go to companies and corporations and the stockholders of such companies and corporations. The second is that it can go to such farmers as have collateral and have security. What about the farmer who has no land, who has no collateral, who has no security? Where can he get a single dollar of this money?

I will ask the question again. If this report shall be adopted, where can the poor fellow without land, without stock in some corporation, without collateral, without security, get a single meal under the terms of the legislation?

If I have made a correct analysis, where are those of my colleagues who a few days ago insisted that we stay here all winter, stay here all spring, and stay here all summer, if need be, to guarantee that the people who need food shall have a chance to get some food?

Mr. President, there is a very serious disagreement between this body and the other body of the Congress. The two Houses are not agreed as to what this report means. We have heard upon this floor in the last day or two what it means. But the explanations given in this body do not correspond with the explanations given in the other House of Congress.

If this report is approved, if the money is made available, which of the two interpretations will prevail, which of the two interpretations will be followed by the administrative officers of the Government? The position of the House upon the item is clear. The position and understanding of the House are contained in the RECORD of last Saturday's proceed-



ings. But the House interpretation is not the interpretation given by the Senators on this floor who are championing this legislation.

I call attention to the understanding in the other branch of the Congress. On Saturday the conference report was presented to the House of Representatives. I have the RECORD before me. My conclusion is justified from the RECORD. I shall read from the RECORD.

On Saturday, February 7, when the conference committee report was introduced in the House, Mr. Wood, the chairman of the Committee on Appropriations, undertook to explain just what this provision meant, and I call the attention of the Senate to his explanation. I read as follows, quoting Mr. Wood:

It is my understanding and the understanding of those who have taken some part in the compromise that it not only includes the proposal in the conference report which has just been filed, but it also includes the settlement of other matters and other proposals that have been offered in the other branch of this Congress.

In other words, it includes the settlement of the 20,000,000 bushels of wheat proposition, the \$5,000,000 that was for cooperative loans, because that is covered in this proposal that is in this conference report—the \$2,500,000 of reappropriation for seed loans in several specific States. The idea is to wipe out all of the differences existing now between the two Houses with reference to these proposed matters of relief, in order that relief may be had for those needing it and that we may avoid an extra session, which I think every Member of the House desires to do.

Mr. President, this is an omnibus relief proposition, as understood by the House of Representatives. Mr. Wood, the chairman of the House Committee on Appropriations, states that all propositions have been merged, all propositions proposed in the House of Representatives, and all proposals in this body as well.

In order that there might be no mistake with reference to the interpretation of this proposal in the conference report which has been presented, I addressed a letter to the Secretary of Agriculture and asked him to give to me, so that I might give it to the House, his interpretation of what the proposed language means, and with your permission I shall read his reply. It is as follows:

I ask unanimous consent to include at this point in my remarks the letter as contained in the RECORD of Saturday last.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The letter is as follows:

FEBRUARY 7, 1931.

HON. WILL R. WOOD,  
Chairman Appropriations Committee,  
House of Representatives.

DEAR MR. WOOD: Your request for my views upon the pending amendment to the seed-loan appropriation has been received.

The proposed measure is intended to take care of another phase of the credit problem in the drought-stricken area which is economic in character and not covered by other services.

The critical condition in the drought area arises not only from the drought but also from the weakened banking situation. There are two phases of this whole problem:

First, relief to the distressed who have no resources and therefore no security to offer for loans.

Second, the provision of adequate credit for those who can offer security for loans to enable them to carry on their usual operations.

The Red Cross is adequately caring for the needs of the first class. The appropriation already made of \$45,000,000 for seed, feed, and fertilizer loans to be secured by liens on the crop will provide for a large number of the second class.

There remains the general problem of furnishing essential credit to those who have security, but who can not obtain it because of the breakdown of normal credit facilities.

The requirements are to be met in two ways: First, secured by loans to individuals of capital to assist them to strengthen the existing agricultural credit corporations or to set up new agencies, which can in turn operate through the intermediate credit banks; and second, by other emergency loans on adequate security to be made by the Secretary of Agriculture.

A part of the normal agricultural credit operation in the drought area consists in financing from month to month by the landlord of his tenants. This financing goes to buy food and clothing, as well as for other purposes. It is principally this system which, due to a weakened banking structure, has broken down, thus depriving the community of the credit essential to economic recovery.

The provision in the pending proposal would answer the needs of all of these who can offer security. It will relieve the burden upon charity by aiding to restore normal credit conditions. It leaves to the Red Cross the responsibility of the field as agent for human relief to those who do not have security and to whom

Government loans for food such as were at one time proposed would have been mere charity by creating obligations from large groups far beyond their ability to repay.

This situation was foreseen last September when the President called a conference of bankers in the drought-stricken States and recommended that agricultural credit corporations be formed to function under the intermediate-credit system. The bankers undertook to assist in the creation of such corporations, and a number of them were formed, but not to the number or strength which is now necessary.

The present bill rounds out the program of economic rehabilitation in much better fashion than the legislative proposals heretofore made. It fills out the pattern of measures necessary in the drought territory. First, human relief by the Red Cross to farmers and to industrial people who have no resources in the drought region; second, loans for seed and fertilizer secured against the coming crop; and finally, this last provision aimed to restore credit facilities for those who have security to offer.

This program avoids doles or direct charity from the Federal Treasury or any implication thereof.

Yours very truly,

ARTHUR M. HYDE, Secretary.

Mr. THOMAS of Oklahoma. Mr. President, not only does the proposal not provide for food but it is not even susceptible of an implication to that effect, if we accept the interpretation of Mr. Wood, chairman of the Committee on Appropriations of the House of Representatives.

After Mr. Wood had read in the House this letter the following colloquy took place between Mr. Wood and others upon the floor of the House:

Mr. BLACK. Mr. Speaker, will the gentleman yield?

Mr. WOOD. Yes.

Mr. BLACK. Is there any provision in the conference report that is proposed for relief of folks outside of the rural districts, who are in distress in the cities?

Mr. WOOD. No.

Mr. BLACK. Are all of the relief propositions based on credit rather than on any form of charity in the rural districts?

Mr. WOOD. The purpose of the proposal in the conference report is to enable those who desire to rely upon their own efforts and upon their own ability to secure credit whereby they can make purchases of necessities and keep from asking charity.

Mr. LA GUARDIA. Mr. Speaker, will the gentleman yield?

Mr. WOOD. Yes.

Mr. LA GUARDIA. As I understand it, a mortgage is taken upon the crop for loans made out of the first appropriation that we passed. The appropriation carried in the bill just reported is over and above the previous \$45,000,000 that we have appropriated.

Mr. WOOD. Yes.

Mr. LA GUARDIA. Do I understand that loans will be made to those farmers in this area without any security, or must the farmer have security?

Mr. WOOD. He must give security if the loan is made.

I ask again, Mr. President, how is the poor fellow who has no security going to get any relief under this provision? I have asked that question three times, and I have no answer. I am justified in concluding that no man or woman, boy or girl, can get a mouthful of food under this bill unless they have security to put up for a loan with which to buy that food.

Further said Mr. Wood:

One of the principal purposes to be served is this: The original \$45,000,000 proposal was for the purpose of loans for seed and feed for the work animals so that they might make a crop. It did not include other livestock, such as cattle, hogs, or poultry. To my mind, one of the greatest essentials and one of the best benefits to be derived from this proposal is that it protects the livestock, and particularly the milch cow, upon which the entire family may be depending.

Mr. President, I object to the rules and regulations which have been promulgated by the Department of Agriculture. Those rules and regulations have been so made that the people throughout the country understand that we of the Senate and those of the House have enacted a law requiring our citizens to subscribe to and make a pauper's statement, if not an oath, in order to make application for a loan.

The original law does not provide for such a statement. Congress has enacted no law requiring American citizens to sign a pauper's oath, even a pauper's statement, in order to qualify them to make application to secure a loan. But the regulations which have been prescribed by the Department of Agriculture, sent broadcast by the millions, require the farmer, when he makes application for a loan, to make a statement that he has no money and that he has no collateral or security upon which he can otherwise raise



money. Mr. President, I condemn such a requirement. I object to such rules and regulations.

Mr. SMOOT. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from Utah?

Mr. THOMAS of Oklahoma. Certainly.

Mr. SMOOT. There are some of us who do not agree with that statement of Mr. Wood.

Mr. THOMAS of Oklahoma. Does the Senator say that I have stated the rules and regulations incorrectly?

Mr. SMOOT. Oh, no; I said that some of us do not agree with what was said by Mr. Wood.

Mr. THOMAS of Oklahoma. Continuing to read from the RECORD of February 7, Mr. BLANTON asked this question:

Mr. BLANTON. But it is for "a rehabilitation," and whatever is required to rehabilitate this \$20,000,000 is to be expended for.

Mr. WOOD. That is correct.

Mr. BLANTON. That really covers food, although we must not mention food, but call it rehabilitation.

Mr. LA GUARDIA. What information was obtained since we had the debate on the floor of the House that the Red Cross could absolutely take care of everything? If I remember correctly, although I may be in error, the gentleman and others said that there was no necessity whatsoever for appropriating anything. Just what has happened in the last few days in the way of additional information?

Mr. WOOD. Of course, we might get into an argument about this proposition. We all have our individual opinions about it. This proposal is a compromise, and that means that each contending party had to give up something of his own opinion.

Mr. LA GUARDIA. And it also means that some of us were not very far wrong when we took the other side.

Mr. CRAMTON. Mr. Speaker, will the gentleman yield?

Mr. WOOD. Yes.

Mr. CRAMTON is chairman of the subcommittee which prepared this bill. I will modify that statement. Mr. CRAMTON was the subcommittee that prepared the bill. I will even modify that statement. He was the conference committee that made the report on this bill. Mr. CRAMTON prepared the bill and made the conference report. He made the following statement:

Mr. CRAMTON. There is as much difference between the proposition that was up the other day of giving money to the Red Cross to be handed out in gifts of food and clothing and this proposition for loans for agricultural rehabilitation upon what the Secretary characterizes as adequate security as there is between day and night. It is an entirely different proposition, and in this compromise there is nothing whatever of the proposition which the House so decisively rejected.

Mr. LA GUARDIA. But there is also a big difference between this and the absolute negative stand which the gentleman and others took at the same time that we took the other extreme.

Mr. CRAMTON. Oh, the things cared for in this would not have been cared for at all if the \$25,000,000 had been given to the Red Cross. There would have been no agricultural rehabilitation in that.

Mr. LA GUARDIA. And one thing that is certain is that the unemployed in the cities will get nothing. On that there can be no dispute.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. WOOD. Yes.

Mr. GARNER. Prior to the holidays, when the so-called farm relief bill was before the House, I recall that the gentleman from Indiana insisted that \$45,000,000 would be sufficient for all purposes. I take it that he has revised his views on that, and he thinks now that \$65,000,000 is a better sum.

Mr. WOOD. I was about to say that if I consulted my own opinion about it I would still think that, but if we had to do it over again I would make the \$45,000,000 cover the livestock upon the farm, everything on the farm.

Mr. GARNER. I am glad the gentleman has gotten educated to that point.

Mr. ALLGOOD. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. ALLGOOD. Is it a fact now that the Red Cross has raised \$10,000,000 and had a surplus of \$5,000,000, which makes \$15,000,000, to feed the people throughout the Nation that are needy, and with this additional \$20,000,000 that sum is deemed sufficient, in addition to what the Red Cross has raised, to care for the situation?

Mr. WOOD. It is hoped to be; and if it is not, there will be a way provided.

Mr. TILSON. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. TILSON. This is not to be in addition to any amounts the Red Cross has raised because this is for an entirely different purpose than any money contributed to the Red Cross.

Mr. CRAMTON. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. CRAMTON. The Red Cross definitely stated that if it cost three times the estimated amount they are prepared to raise it in the usual way, so this is not at all involved in that.

Mr. O'CONNOR of Oklahoma. Will the gentleman yield?

Mr. WOOD. I yield to the gentleman from Oklahoma.

Mr. O'CONNOR of Oklahoma. It seems to me the letter of the Secretary of Agriculture is very clear. He states that he has nothing to do with the matter of charity; that that is to be handled by the Red Cross; and the Red Cross has said they would meet every need. They did not say they could take the place of the country banks. Down there they have what they call "cropper loans." Money is advanced on a crop that is not planted. The country banks can not make such loans now. The Government steps in and does that. If these people should spend some of that money for food, that is their business; but the crop that is not planted is going to be considered adequate security. There is no use mixing things up at all. The Government stepped in to do what the local credit agencies are not able to do.

Mr. WOOD. That is correct.

Mr. O'CONNOR of Oklahoma. It is not the Government stepping in and putting on a Red Cross uniform and establishing a cafeteria and saying to everybody, "Come up and we will fill you up." That has still got to be done as a charitable proposition, if I understand this thing.

Mr. WOOD. That is correct.

Mr. SNELL. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. SNELL. How is the \$5,000,000 fund administered? What security comes to the Government for that?

Mr. WOOD. The \$5,000,000 is wiped out.

Mr. SNELL. But a part of this fund is to be used for that?

Mr. WOOD. Absolutely. That is the purpose of loaning to persons who desire to create these credit corporations.

Mr. SNELL. Do we loan to the local banks or direct, or how do we make the loans?

Mr. WOOD. An organization will be created just exactly as they are now created under the intermediary banking system.

Mr. SNELL. But not through the local banks?

Mr. WOOD. No, sir.

Mr. SNELL. It is entirely separate and apart from the local banks?

Mr. WOOD. Entirely separate from the local banks.

The SPEAKER. May the Chair suggest that this entire debate is out of order?

Mr. BLANTON. Will the gentleman yield for just a moment? We do not care about these fine-spun parliamentary distinctions between tweedledee and tweedledum, as long as the people get the money.

Mr. BLACK. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. BLACK. As I understand, the only one who can get this money is some one who has security? In other words, the fellow who has nothing can get nothing under this proposition?

Mr. WOOD. That seems to have been the lifelong practice.

There the colloquy ended. The Senate does not appear to have the same understanding. Some seem to have the impression that if the conference report is adopted and the money appropriated, the money can be used for the purchase of food for human beings. The House does not so understand it, and inasmuch as the House is in harmony with the Secretary of Agriculture, if the money is appropriated, there is no doubt as to the interpretation to be placed upon the appropriation by the executive departments. They will take the viewpoint of the House, which voiced their viewpoint.

So, Mr. President, as the matter now stands those in distress and in need, who have neither money nor security, must get their daily bread from the hands of the Red Cross. Farmers with security who are in distress can borrow money for seed purposes and feed for livestock. Tenant farmers living on rented land, if they can get the owner of the land to waive, can borrow money for seed purposes; but if they can not get the landowner to waive his first lien or his right to a first lien, the tenant farmers will be unable to secure any of the money provided by former appropriations as well as by this appropriation. The so-called compromise in the conference report only provides for loaning money to credit organizations, organizations that can be operated in harmony with and recognized by the Federal reserve system, and then loaning to such farmers as have security.

Mr. SMOOT. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from Utah?

Mr. THOMAS of Oklahoma. I yield.

Mr. SMOOT. Unless the Senator from Oklahoma desires to proceed at this time, I should like to move that the Senate take a recess until 7.30 o'clock this evening, which is in accordance with the unanimous-consent agreement.

Mr. THOMAS of Oklahoma. I yield for that purpose.

#### INVESTIGATION BY THE TARIFF COMMISSION—LEAD

Mr. KING. I submit a resolution directing the Tariff Commission to make an investigation relative to lead and ask that it lie on the table.



There being no objection, the resolution (S. Res. 441) was read and ordered to lie on the table, as follows:

*Resolved*, That the United States Tariff Commission is hereby directed, under section 336 of the tariff act of 1930, and for the purposes of that section, to investigate the differences in the costs of production during the calendar years 1928, 1929, and 1930 of the following domestic and foreign articles, viz, lead, and to report thereon to the Senate as soon as possible.

#### RECESS

Mr. SMOOT. I move that the Senate take a recess until 7.30 o'clock this evening.

The motion was agreed to; and (at 5 o'clock and 16 minutes p. m.) the Senate took a recess, the recess being, under the unanimous-consent agreement previously entered, until 7.30 o'clock this evening.

#### EVENING SESSION

The Senate reassembled at 7 o'clock and 30 minutes p. m.

#### SHORTER WORK WEEK FOR POSTAL EMPLOYEES

The PRESIDENT pro tempore. Under the unanimous-consent agreement, the Chair lays before the Senate a bill which will be stated by the Secretary.

The Senate proceeded to consider the bill (H. R. 6603) to provide a shorter work week for postal employees, and for other purposes, which was read, as follows:

*Be it enacted, etc.*, That when the needs of the service require supervisory employees, special clerks, clerks, and laborers in first and second class post offices, and employees of the motor-vehicle service, and carriers in the City Delivery Service and in the village delivery service, and employees of the Railway Mail Service, to perform service in excess of four hours on Saturday they shall be allowed compensatory time for such service on one day within five working days next succeeding the Saturday on which the excess service was performed: *Provided*, That employees who are granted compensatory time on Saturday for work performed the preceding Sunday or the preceding holiday shall be given the benefits of this act on one day within five working days following the Saturday when said compensatory time was granted: *Provided further*, That the Postmaster General may, if the exigencies of the service require it, authorize the payment of overtime for service in excess of four hours on the last three Saturdays in the calendar year in lieu of compensatory time: *And provided further*, That for the purpose of extending the benefits of this act to railway postal clerks the service of said railway postal clerks assigned to road duty shall be based on an average not exceeding 7 hours and 20 minutes per day for 306 days per annum, including a proper allowance for all service required on lay-off periods as provided in Post Office Department circular letter No. 1348, dated May 12, 1921; and railway postal clerks required to perform service in excess of 7 hours and 20 minutes daily, as herein provided, shall be paid in cash at the annual rate of pay or granted compensatory time, at their option, for such overtime. This act shall take effect at the beginning of the second quarter after its passage.

Mr. ODDIE. Mr. President, I ask leave to have printed in the RECORD the report of the Committee on Post Offices and Post Roads on this bill. This is a favorable report, and I call the attention of the Senate to what the committee advises in the matter.

I believe the bill is a very excellent one; it is a humane bill and it should be passed.

The senior Senator from Wisconsin [Mr. LA FOLLETTE] has worked effectively and actively for this legislation for a long time past and is deserving of high praise for the assistance he has rendered in promoting it.

The PRESIDENT pro tempore. Without objection, the report of the committee will be printed in the RECORD.

The report is as follows:

Mr. ODDIE, from the Committee on Post Offices and Post Roads, submitted the following report (to accompany H. R. 6603):

The Committee on Post Offices and Post Roads, having considered the bill (H. R. 6603) to provide a shorter work week for postal employees, and for other purposes, reports the same without amendment and recommends its passage.

This measure will make general and uniform in the Postal Service the shorter weekly working hours which are now in effect in certain places under orders issued by the department. A somewhat similar bill was approved by the Senate during the Seventieth Congress.

The history of the movement is set forth by the House Committee on the Post Office and Post Roads in the report submitted on the pending measure (H. R. 6603) and is as follows:

On May 14, 1924, the Postmaster General issued the following order:

"ORDER No. 493.—Realizing that very general tendency of people toward relaxation from business during the heated season on

Saturday afternoons, acknowledging the fact that this business cessation lessens to a limited extent the work in some of our post offices, desiring to be as considerate as possible of those who are serving faithfully in our great system, and unwilling that the regulations of the department should stand in the way of even very short and temporary respites, though they may be available to comparatively few, I am herein authorizing postmasters to take into consideration the situation which exists in their own jurisdictions during this season.

"If any employees can be dismissed earlier or allowed an interval off duty on Saturday afternoons, wholly because of having accomplished their usual work either by their own extra efforts or because of slackness of Saturday afternoon business, and in no wise directly or indirectly entailing extra expense to the Government, the postmaster in his discretion may permit this. The department does not contemplate any curtailment of the service. It is anticipated that only a small per cent of the employees may be able to benefit from this permission, and that in many cities and towns none at all. It is intended solely to extend to postmasters that reasonable latitude which will enable them to grant such permissions in case they find that it can be done without loss to the Government and to the service.

"It is understood that the summer season begins Saturday, June 14, and ends on Saturday, September 13."

In a letter of explanation issued May 21, 1924, the Postmaster General stated:

"Postmasters who have no cessation of general business on Saturdays can not do anything. Others can do in proportion to the conditions as they find them. This may not seem to be wholly equitable, but it is as far as the department can go. It is so universal to have as much respite as possible from work on Saturday afternoons that we felt justified in going thus far. Clerks and carriers can often spring to their work with more energy and shorten up the day and do no injustice to anybody. When they can do this we are glad to have them. But it is a subject that must be carefully administered, and it is also a subject where the clerks and carriers must understand the limitations placed upon the postmaster, and one must not complain because he doesn't get as much as somebody else, because such complaints are sure to lead to the discontinuance of the whole arrangement and prevent anybody from getting anything."

On September 3, 1924, an order was issued extending the provisions so as to cover the entire year, but still leaving to individual postmasters the responsibility of deciding whether or not it should be operative.

Under date of March 18, 1930, the following order was issued by the First Assistant Postmaster General:

"Postmasters at first and second class offices are requested to arrange such curtailment of work on Saturdays as is consistent with the lesser amount of mail received Saturday afternoons and the custom of early closing by local business houses.

"In many offices it has been found possible to maintain adequate service on Saturdays with clerical and carrier schedules reduced to 4, 5, and 6 hours thus by good management providing a partial half holiday without any material increase in operating expense.

"A study of each section in these offices will reveal that while no uniform hours of service on Saturdays can be established, it is possible to arrange schedules so as most employees can be given a shorter tour. In communities where it is the custom of business houses to close at noon on some day of the week other than Saturday postmasters should curtail accordingly and require full time on all other days."

This is as far as the department can go without legislation. It is admitted that it is impossible to avoid dissatisfaction when the employees in one office are given the benefit of this order while the employees of another office are unable to enjoy its benefits.

This bill provides for equal treatment of postal employees while at the same time providing against any curtailment of service.

Private industry has led the way in the movement toward shorter working hours and the Saturday half holiday. Some of the largest business enterprises in the country have for many years carried out the purpose of this measure. They have reported it to be beneficial from a production standpoint.

Your committee urges that postal employment be kept as nearly in line as possible in this regard with private employment. It believes that the same good results will follow.

The present situation contains other elements of injustice. The employees of the Post Office Department in the executive offices in Washington now have a basic 42-hour week. During the summer months this is reduced by the President's order establishing the Saturday half holiday. Even with the enactment of this measure the postal employees in the field service will be working longer hours than the postal employees at the executive offices.

According to the Department of Labor, through official reports, the 44-hour week applies generally in the printing trades. The average hours of work in the building trades throughout the United States is 43.7. In many crafts and establishments the 5-day, 40-hour week has been adopted.

In reporting upon the results the Department of Labor states: "Part of any increased costs that might result from the shortening of the work week would be offset by the increased efficiency of the workers. Efficiency and output of workers on Saturday afternoon is admitted to be low.

"Although data for weekly periods are scarce, they seem to show a mounting efficiency during Monday, with a maximum output on Tuesday, followed by a gradual decline in production until the low point is reached on Saturday.



"That a shorter work week makes for not only a greater hourly output but also a greater total output is seen in the very exact measurements of Vernon under the British health of munition workers' committee. With 80 to 100 women performing the moderately heavy labor of turning aluminum fuse bodies in a lathe, reduction of the actual working hours from a weekly average of 66.2 to 45.6 hours, a gain of 9 per cent was still maintained.

"Curtailment of the period of labor often means an actual increase of work done. The truth of this statement is brought out by the experience of many employers."

It will be necessary to use the services of substitutes to make up part of the compensatory time granted regular employees who work in excess of four hours on Saturdays. While this will mean additional outlay it will help solve the problem now confronting the department as to substitutes. These workers are subject to call at all hours for a period of years, in many cases, and yet the income received is pitifully small. Assurance of more hours of labor for these substitutes will make this reserve force of postal workers a more efficient body.

This measure provides that whenever the needs of the service require the employment of post-office employees on Saturday afternoon they shall be given compensatory time on one of the five working days following. It is emphatically not the purpose of your committee that the postal establishment should close its doors on Saturday afternoon, suspending its service at midday and giving to its patrons only such service as is now given on Sundays and holidays. It is the purpose of the provisions of this measure that postal employees be given four hours off on Saturday where no injury will be done the service, but in case such curtailment would have a detrimental effect upon the service, then the work shall be performed on Saturday, and a compensatory four hours be allowed on one of the five following days. We desire to uphold the efficiency of the Postal Service and at the same time bring the post-office establishment into line with private industry in the United States.

It is impossible to estimate the cost of this measure. The Post Office Department has given varying estimates, and many letters have been received from postmasters in large offices giving greatly differing ideas as to the cost. Many postmasters report that the entire cost can be absorbed in their own offices. Your committee believes that to a large extent this will apply over the entire service. With estimates ranging from \$2,000,000 upward, your committee believes it is impossible to fix a definite estimate.

This measure has been under consideration by your committee during the Seventieth and Seventy-first Congresses, and exhaustive hearings have been held.

In a letter to the Committee on Post Offices and Post Roads of the Senate Postmaster General Brown stated:

"Inasmuch as postmasters have been authorized to curtail employment on Saturdays to an extent consistent with local conditions, a large number of employees in the field are now required to give from five to six hours' service. No data are available for the exact amount of time which is now being absorbed at the present time without additional expense or curtailment of required service. Therefore it can not be stated accurately just what a 4-hour day on Saturday would cost us."

At the hearings before the House Committee on the Post Office and Post Roads, Postmaster General Brown stated:

"There are a number of considerations that we think are pertinent in considering this particular bill. There is a very substantial difference between the status of a postal worker and an industrial worker generally. The post-office work is regular, is steady; the department never closes down for inventory; we do not have short seasons; we do not lay off people; the employment is steady and continuous, and the pay is absolutely certain. Furthermore, we pay 12 months' wages or salaries for substantially 11 months' work, when you take into consideration the 15 days' vacation leave and the 10 days' sick leave. In industrial employment the law of supply and demand, in a considerable measure, regulates compensation. If there is a long cue of applicants for work outside of the employment office, the institution does not raise wages. It raises wages to get competent, skilled workmen. The Post Office Department has a long cue waiting. We would have little if any difficulty in filling most of the places we have very promptly if they should be vacated.

"This measure, in our judgment, is not justified at this time."

After careful study of the situation, with the inequalities involved in the present Saturday half-holiday order and the hours of those employed in the Washington departmental offices; considering the increased productivity of postal employees and the lowered unit cost and having in mind the steady trend toward shorter working hours in private industry, your committee urges the enactment of this measure.

The PRESIDENT pro tempore. The bill is open to amendment.

Mr. SMITH. Mr. President, may we not have the report read?

The PRESIDENT pro tempore. Without objection, the report will be read.

Mr. FLETCHER. In the meantime, Mr. President, may I interrupt to offer and have noted in the RECORD a petition in favor of the bill?

The PRESIDENT pro tempore. Without objection, it is so ordered.

The petition and accompanying letter are as follows:

NATIONAL FEDERATION OF POST OFFICE CLERKS,  
Washington, D. C., February 10, 1931.

HON. DUNCAN U. FLETCHER,  
United States Senate, Washington, D. C.

DEAR SENATOR: I am herewith transmitting to you a letter sent in my care from the postal employees of West Palm Beach, who request your support of the Kendall bill establishing a 44-hour working week in the Postal Service. This measure will come before the Senate to-night for consideration.

Very truly yours,

THOS. F. FLAHERTY,  
Secretary-Treasurer.

WEST PALM BEACH, FLA., February 9, 1931.

The UNITED STATES SENATE,  
(Care of Hon. DUNCAN U. FLETCHER),  
Washington, D. C.

HONORABLE SIRS: We, the employees of the West Palm Beach, Fla., post office will appreciate your support of the Kendall bill, H. R. 6603.

Fred L. Thornton, L. B. Walker, A. H. Seeley, L. Davenport, John T. Ross, Jesse Hardy, Herbert V. Hiess, K. V. Brown, C. R. Steele, B. L. Bell, F. C. Dofcater, E. A. Haley, E. P. Barenluugge, H. D. Carroll, H. C. Douglass, Wesley R. Field, Millard L. Mather, James B. Powell, Otto J. Bulfin, Manor E. Gatlin, F. F. Hartwell, Edward Lemrow, C. S. Nichols, B. A. Trapp, J. R. Wylie, H. J. Gooding, H. V. Farnham, L. C. Bridges, C. D. Bibb, A. F. Allert, M. E. Eaton, Wm. H. Caldwell, H. F. Noyes, Wm. Snyder, Ernest L. Abel, Walter S. Bruce, W. Hall Youmans, Fred Ritezel, M. B. Connor, O. D. Larkin, J. E. Gallagher, G. W. Stephens, W. S. Estabrook, F. A. Stone, A. V. Kelley, R. M. Stone, H. H. Eakle, O. W. Hartwell, R. C. Hensel, Fred W. Carter, Chas. S. Chandler, C. L. White, E. J. Harris, W. O. Clement, Charles O. Stypmanne, M. S. Cameron, S. M. Drake, Fred Baird, J. J. Egan, Lundy Duncan, M. W. Nelson, T. O. Seward, S. L. Metufe, Margaret Campbell, Margaret Daumer, Oscar O. Daumer, J. W. Adair, Nellie D. Gallagher.

Mr. SMITH. Mr. President, I withdraw the request for the reading of the report. I simply desire to know whether or not any amendments were suggested by the committee to the bill. Are there any committee amendments?

The PRESIDENT pro tempore. There are none. The bill is open to amendment. No amendment being proposed, the question is, Shall the bill be read a third time?

Mr. LA FOLLETTE. Mr. President, I call attention to the fact that a unanimous-consent agreement was entered into.

The PRESIDENT pro tempore. The Chair is perfectly aware of that; but the bill has to go through its three readings before the question can be put on its passage. As soon as the third reading is completed, the Chair will enter the order, under the unanimous-consent agreement, for a final vote on passage to-morrow.

Mr. LA FOLLETTE. Very well, Mr. President.

The Chief Clerk read the bill the third time by title.

The PRESIDENT pro tempore. This bill having had three readings, the question is, Shall the bill pass? Under a unanimous-consent agreement previously entered into, the vote on final passage of this bill will take place to-morrow at 1 o'clock.

Mr. WALSH of Massachusetts. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it. Mr. WALSH of Massachusetts. Will any debate upon this bill be permitted at to-morrow's session?

The PRESIDENT pro tempore. Under the unanimous-consent agreement it will not be in order.

Mr. WALSH of Massachusetts. So I understand debate is closed?

The PRESIDENT pro tempore. Debate is closed. There is no further action to be taken on the bill except a vote on its final passage, which has been ordered by unanimous consent at 1 o'clock to-morrow.

#### OUTDOOR SIGNS WITHIN THE DISTRICT

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 4022) to regulate the erection, hanging, placing, painting, display, and maintenance of outdoor signs and other forms of exterior advertising within the District of Columbia.

Mr. CAPPER. I move that the Senate disagree to the amendments of the House and request a conference with



the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. CAPPER, Mr. JONES, and Mr. KING conferees on the part of the Senate.

#### THE CALENDAR

The PRESIDENT pro tempore. Under the unanimous-consent agreement, the calendar is in order under Rule VIII for unobjected bills. The Secretary will state the first bill on the calendar.

#### BILLS, ETC., PASSED OVER

The first business on the calendar was the bill (S. 168) providing for the biennial appointment of a board of visitors to inspect and report upon the government and conditions in the Philippine Islands.

The PRESIDENT pro tempore. By request, the bill will be passed over.

The resolution (S. Res. 76) to amend Rule XXXIII of the Standing Rules of the Senate relating to the privilege of the floor was announced as next in order.

The PRESIDENT pro tempore. The resolution will be passed over.

The bill (S. 551) to regulate the distribution and promotion of commissioned officers of the Marine Corps, and for other purposes, was announced as next in order.

Mr. BLAINE. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The resolution (S. Res. 49) authorizing the Committee on Manufactures, or any duly authorized subcommittee thereof, to investigate immediately the working conditions of employees in the textile industry of the States of North Carolina, South Carolina, and Tennessee was announced as next in order.

The PRESIDENT pro tempore. By request, the resolution will be passed over.

The resolution (S. Res. 119) authorizing and directing the Committee on Interstate Commerce to investigate the wreck of the airplane *City of San Francisco* and certain matters pertaining to interstate air commerce was announced as next in order.

The PRESIDENT pro tempore. By request, the resolution will be passed over.

The bill (H. R. 9592) to amend section 407 of the merchant marine act, 1928, was announced as next in order.

The PRESIDENT pro tempore. By request, the bill will be passed over.

The bill (S. 1278) to authorize the issuance of certificates of admission to aliens, and for other purposes, was announced as next in order.

Mr. COPELAND. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. COPELAND. Mr. President, what happened to House bill 9592?

The PRESIDENT pro tempore. It went over under objection.

The resolution (S. Res. 245) providing for the appointment of a committee to inquire into the failure of the Speaker of the House of Representatives to take some action on Senate Joint Resolution 3, relative to the commencement of the terms of President, Vice President, and Members of Congress, was announced as next in order.

The PRESIDENT pro tempore. By request, the resolution will be passed over.

The bill (S. 120) to authorize the President to detail engineers of the Bureau of Public Roads of the Department of Agriculture to assist the governments of the Latin American Republics in highway matters was announced as next in order.

Mr. ODDIE. I move that that bill be indefinitely postponed.

The PRESIDENT pro tempore. The question is on agreeing to the motion proposed by the Senator from Nevada.

Mr. JONES. Mr. President, the Senator from Nebraska is not here. I do not think that ought to be done in his absence.

Mr. LA FOLLETTE. The Senator from Nevada refers to Order of Business 500, which is a companion bill, as I understand, for—

Mr. JONES. I thought the Senator was referring to Order of Business 495, Senate Resolution 245.

The PRESIDENT pro tempore. That went over by request of an absent Senator who lodged a request with the Chair.

The question is on the motion of the Senator from Nevada [Mr. ODDIE].

The motion was agreed to.

The bill (S. 4066) to authorize the merger of the Georgetown Gas Light Co. with and into the Washington Gas Light Co., and for other purposes, was announced as next in order.

Mr. HOWELL. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 3229) to provide for the appointment of an additional district judge for the southern district of New York was announced as next in order.

Mr. COPELAND. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 699) to prevent fraud, deception, or improper practice in connection with business before the United States Patent Office, and for other purposes, was announced as next in order.

Mr. BRATTON. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 1916) to amend section 1025 of the Revised Statutes of the United States was announced as next in order.

Mr. COPELAND. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 4357) to limit the jurisdiction of district courts of the United States was announced as next in order.

Mr. BRATTON and Mr. COPELAND. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 3344) supplementing the national prohibition act for the District of Columbia was announced as next in order.

Mr. BLAINE. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 3558) to amend section 8 of the act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes, approved March 4, 1913, was announced as next in order.

Mr. BRATTON. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 3399) to amend section 2 (e) of the air commerce act of 1926 was announced as next in order.

Mr. BRATTON. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 4377) to provide for the settlement of claims against the United States on account of property damage, personal injury, or death was announced as next in order.

Mr. BRATTON. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 3822) to provide for the withdrawal of the sovereignty of the United States over the Philippine Islands and for the recognition of their independence, etc., was announced as next in order.

Mr. VANDENBERG. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.



The bill (H. R. 4015) to provide for the revocation and suspension of operators' and chauffeurs' licenses and registration certificates; to require proof of ability to respond in damages for injuries caused by the operation of motor vehicles; to prescribe the form of and conditions in insurance policies covering the liability of motor-vehicle operators; to subject such policies to the approval of the commissioner of insurance; to constitute the director of traffic the agent of nonresident owners and operators of motor vehicles operated in the District of Columbia for the purpose of service of process; to provide for the report of accidents; to authorize the director of traffic to make rules for the administration of this statute; and to prescribe penalties for the violation of the provisions of this act, and for other purposes, was announced as next in order.

SEVERAL SENATORS. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 4254) to provide for the compromise and settlement of claims held by the United States of America arising under the provisions of section 210 of the transportation act, 1920, as amended, was announced as next in order.

SEVERAL SENATORS. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 2497) to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes, was announced as next in order.

The PRESIDENT pro tempore. The bill will go over under request.

The bill (S. 4561) for the relief of Sally S. Twilley was announced as next in order.

Mr. HOWELL. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 3644) for compensation in behalf of John M. Flynn was announced as next in order.

Mr. HOWELL. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 4555) to amend certain sections in the Code of Law for the District of Columbia relating to offenses against public policy was announced as next in order.

Mr. BLAINE. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

#### NATIONAL MUSEUM OF ENGINEERING AND INDUSTRY

The bill (S. 454) to establish a commission to be known as a commission on a national museum of engineering and industry was announced as next in order.

Mr. SHORTRIDGE. Let that go over.

Mr. COPELAND. Mr. President, may I ask who objected to the bill?

The PRESIDENT pro tempore. The Senator from California [Mr. SHORTRIDGE].

Mr. SHORTRIDGE. Mr. President, without knowing anything about the measure, I have for the moment objected.

Mr. COPELAND. If the Senator will withhold his objection, hearings on this bill were conducted by the Senator from Connecticut [Mr. WALCOTT], and the then Senator from New Jersey, Mr. Baird. It is proposed that a committee be appointed to determine what sort of a museum shall take the place of one which is to be torn down in view of the improvements in the Mall. Those of us who listened to the hearings are very enthusiastic over the bill and the importance of having determined what shall be done with this particular work.

This bill does not provide for any permanent commission. It simply provides for a study to be made; and then it is hoped that through private funds there may be erected such a building as is contemplated.

Mr. SHORTRIDGE. The bill does not, in and of itself, establish a commission, does it?

Mr. COPELAND. It establishes a temporary commission—it might better be called a committee—merely to study

this question and determine a policy and outline where this building might best be located in the District. The bill received the support of an amazing number of business men from the Senator's own State and through every part of the Union. It is a measure which is so meritorious that I am sorry the Senator from Connecticut [Mr. WALCOTT] is not here. He is one of the proponents of the measure; and I hope the Senators will see fit to pass the bill.

Mr. SHORTRIDGE. Mr. President, if the Senator will pardon me for another question, Does the bill in and of itself create the commission, or does it create a body to study this subject and report?

Mr. COPELAND. It provides that a commission shall be appointed to study the whole problem, and to report back to Congress how best to deal with it.

Mr. SHORTRIDGE. If that be the purpose, I have no objection.

The PRESIDENT pro tempore. The Chair understands the Senator from California to withdraw his objection.

The Senate proceeded to consider the bill, which had been reported from the Committee on the District of Columbia with amendments, on page 2, line 15, after the word "Congress," to strike out "on or before June 30, 1930" and insert "within one year from the passage of this act," and on page 4, line 8, after the words "sum of," to insert "\$75,000," so as to make the bill read:

Whereas the Congress has authorized improvements in the city of Washington, including the extension of Ninth Street through the Mall, which will require the demolition of the Arts and Industries Building of the National Museum now under the supervision of the Smithsonian Institution; and

Whereas the demolition of such building will deprive the Nation of its only national industrial museum; and

Whereas the present building has long been insufficient to contain the industrial exhibits which are now in the possession of the Government and which are stored about Washington, and this inadequacy has prevented the acquisition, by gift and otherwise, of many valuable and interesting exhibits which would otherwise have come into the possession of the United States and some of which have been lost; and

Whereas other important industrial nations of the world have maintained for many years industrial museums far surpassing the inadequate facilities of the present museum in the United States; and

Whereas the replacement and reorganization of the National Industrial Museum should be such that it would worthily represent the high standing of the United States as the leading industrial Nation of the world and meet the needs of its diversified industries: Therefore

*Be it enacted, etc.,* That there is hereby created a commission to be known as a commission on a national museum of engineering and industry, to be composed of nine persons to be appointed by the President, as follows: An engineer; an industrial chemist; a manufacturer; three persons experienced in transportation by land, water, and air, respectively; an educator; a representative of labor; and a museum expert. The members of the commission shall serve without compensation, but they shall be reimbursed for traveling, subsistence, and other necessary expenses incurred in performance of duty under this act. The commission shall submit a report of the result of its investigations, together with its recommendations, to the President and to the Congress within one year from the passage of this act, and it shall cease to exist on such date.

SEC. 2. For the purpose of this act the commission is authorized to investigate (a) the present building or buildings in which industrial and engineering exhibits are displayed or stored in the District of Columbia and elsewhere in the United States, and the organization of such exhibits; (b) the feasibility of establishing a suitable National Museum of Engineering and Industry; (c) suitable sites in the District of Columbia for the location of such museum; (d) the various collections in the District of Columbia which might properly be placed in such a museum; (e) the feasibility of cooperation between such a museum and museums in the several States, and the use of traveling exhibitions for educational purposes; (f) such other matters incidental to the foregoing as the commission may deem necessary and expedient. The commission may, through its secretary, study the collections in and the equipment of industrial and engineering museums in Europe. All governmental establishments in the executive branch of the Government and the Smithsonian Institution are directed to furnish the commission with such available information and data as the commission may request and to cooperate in every practicable manner with the commission.

SEC. 3. The commission is authorized to appoint and, in accordance with the classification act of 1923, as amended, to fix the salary of a secretary and such assistants, and to make such expenditures (including expenditures for personal services at the seat of government and elsewhere) as may be necessary for the purposes of this act. All expenditures of the commission shall



be allowed and paid upon the presentation of itemized vouchers therefor approved by the chairman.

SEC. 4. There is hereby authorized to be appropriated the sum of \$75,000 for carrying out the purposes of this act, to be expended by the commission and to remain available until expended.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

#### BILLS, ETC., PASSED OVER

The joint resolution (S. J. Res. 105) to authorize the merger of street-railway corporations operating in the District of Columbia, and for other purposes, was announced as next in order.

Mr. BRATTON. Let that go over.

The PRESIDENT pro tempore. The joint resolution will be passed over.

The bill (S. 191) for the relief of George B. Marx was announced as next in order.

Mr. HOWELL. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 3238) for the relief of Martin E. Riley was announced as next in order.

The PRESIDENT pro tempore. This bill is reported adversely.

Mr. BRATTON. Let it go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 5212) for the relief of George Charles Walthers was announced as next in order.

Mr. BLAINE. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 4384) to provide for the erection of a suitable monument to the memory of the first permanent settlement of the West at Harrodsburg, Ky., was announced as next in order.

Mr. FESS. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 4597) to provide educational employees of the public schools of the District of Columbia with leave of absence with part pay for purposes of educational improvement, and for other purposes, was announced as next in order.

The PRESIDENT pro tempore. By request, the bill will be passed over.

The joint resolution (S. J. Res. 201) consenting that certain States may sue the United States, and providing for trial on the merits in any suit brought hereunder by a State to recover direct taxes alleged to have been illegally collected by the United States during the fiscal years ending June 30, 1866, 1867, 1868, and vesting the right in each State to sue in its own name, was announced as next in order.

Mr. FLETCHER. Let that go over.

The PRESIDENT pro tempore. The joint resolution will be passed over.

The bill (H. R. 12056) providing for the waiver of trial by jury in the district courts of the United States was announced as next in order.

Mr. BRATTON. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

#### JOHN W. LEICH, ALIAS JOHN LEACH

The bill (H. R. 1594) for the relief of John W. Leich, alias John Leach, was considered, read the third time, and passed, as follows:

*Be it enacted, etc.,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers John W. Leich, alias John Leach, who was a member of Company B, Sixty-seventh Regiment New York Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 12th day of July, 1864: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

#### PENSIONS AND INCREASE OF PENSIONS

The Senate resumed the consideration of the bill (H. R. 13518) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The PRESIDENT pro tempore. This bill was considered by the Senate on January 26, and amended.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

#### AIR MAIL FLYER'S MEDAL OF HONOR

The bill (H. R. 101) for the award of the air mail flyer's medal of honor was considered, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the President is hereby authorized, under such rules and regulations as he may prescribe, to present, but not in the name of Congress, an air mail flyer's medal of honor, of appropriate design, with accompanying ribbon, to any person who, while serving as a pilot in the air mail service since May 15, 1918, has distinguished, or who, after the approval of this act, distinguishes himself by heroism or extraordinary achievement while participating in such service: *Provided,* That no more than one air mail flyer's medal of honor shall be issued to any one person, but for each succeeding act or achievement sufficient to justify the award of an air mail flyer's medal the President may award a suitable bar or other suitable device to be worn as he shall direct. In case an individual who distinguishes himself shall have died before the making of the award to which he may be entitled, the award may nevertheless be made and the medal or the bar or other device presented to such representative of the deceased as the President may designate; but no medal, bar, or other device hereinbefore authorized shall be awarded or presented to any individual whose entire service subsequent to the time he distinguishes himself has not been honorable.

#### FEE FOR INQUIRIES REGARDING REGISTERED MAIL, ETC.

The Senate proceeded to consider the bill (H. R. 5659) to authorize the Postmaster General to charge a fee for inquiries made for patrons concerning registered, insured, or collect-on-delivery mail, and for postal money orders, which had been reported from the Committee on Post Offices and Post Roads with an amendment on page 2, line 2, after the words "fee of," to strike out "not exceeding," so as to make the bill read:

*Be it enacted, etc.,* That the Postmaster General is authorized to provide by regulation for making such inquiries as he may consider proper concerning registered, insured, or collect-on-delivery mail upon the request of the sender or addressee thereof, or his agent, or concerning postal money orders upon request of the remitter, payee, indorsee, or his agent, and for the payment of a fee of 5 cents for such service.

The amendment was agreed to.

Mr. WALSH of Montana. Mr. President, I wish some member of the Post Office Committee would tell us what that bill means.

Mr. SMITH. Let it go over.

Mr. HEFLIN. What is the bill?

The PRESIDENT pro tempore. If the Chair may be permitted to say so, it is a bill to provide for an additional fee when money orders require a return receipt.

Mr. SMITH. Let it go over.

The PRESIDENT pro tempore. Objection is made, and the bill will be passed over.

House bill 6603, the next bill on the calendar, has already been passed.

#### MOHICAN RIVER DITCH, OHIO

The bill (H. R. 8290) to authorize and direct a preliminary examination of the Mohican River Ditch from Lake Fork, Ohio, south a distance of 8 miles, was considered, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of the Mohican River and its tributaries, especially the Mohican River Ditch south of Lake Fork, Ohio, a distance of 8 miles, with a view to control the floods in accordance with the provisions of section 3 of an act entitled "An act to provide for control of the floods of the Mississippi River, and of the Sacramento River, Calif., and for other purposes," approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.



## PRICE OF BREAD IN THE DISTRICT OF COLUMBIA

The resolution (S. Res. 362) to investigate the price of bread in the District of Columbia was announced as next in order.

The PRESIDENT pro tempore. The Chair invites the attention of the Senator from Kansas [Mr. CAPPER] to this resolution. The Chair understands a similar investigation now to be going on.

Mr. CAPPER. Mr. President, the resolution introduced by the Senator from New York [Mr. WAGNER], which provided for a general investigation of the same subject, was adopted and a committee appointed. I happen to be chairman of the committee, and we are now conducting the investigation, so action on this resolution is unnecessary.

The PRESIDENT pro tempore. Then, without objection, the resolution will be indefinitely postponed.

## ACQUISITION OF LAND IN THE DISTRICT OF COLUMBIA

The bill (S. 5029) to amend the act providing for the acquisition of land in the District of Columbia was announced as next in order.

Mr. SMITH. Mr. President, I would like to have an explanation of what this bill proposes to do.

Mr. KING. Mr. President, I think perhaps an explanation as lucid as any that could be made would be the statement of the Attorney General, found in the report.

The PRESIDENT pro tempore. Accompanying the bill?

Mr. KING. Accompanying the bill.

The PRESIDENT pro tempore. Without objection, the clerk will read the statement of the Attorney General, which accompanies the report of the committee.

Mr. KING. Mr. President, I may say to the Senator from South Carolina that there are two or three parcels of land which are indispensable for the prosecution of the work of the Government, I think, on the Department of Justice building and one or two other buildings. Under the present system, appeals, and so on, might hold the matter up for a year and prevent the prosecution of the work. The department is ready to proceed with the work, but it can not get title. This measure authorizes the bringing of a suit in condemnation, the Government paying back to the owners the estimated value, and then the owners, if they are not satisfied with that, may go into court.

Mr. JOHNSON. Mr. President, I ask that the bill may go over.

The PRESIDENT pro tempore. The bill will be passed over.

## REDUCED FARE FOR SCHOOL CHILDREN

The bill (H. R. 12571) to provide for the transportation of school children in the District of Columbia at a reduced fare was announced as next in order.

The PRESIDENT pro tempore. The bill has been considered heretofore, and an amendment offered by the Senator from Oklahoma [Mr. THOMAS] is pending.

Mr. GLASS. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. COPELAND. Mr. President, I hope the bill will not go over. It provides for reduced fares for school children in the District, and it ought to be passed, so that they and their parents may have the benefit of the reduced fares.

Mr. WATSON. Mr. President, I desire to second the request of the Senator from New York. I think the bill is entitled to the immediate consideration of this body. I do not know where the Senator from Oklahoma is.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Oklahoma will be read by the clerk.

Mr. LA FOLLETTE. Mr. President, I do not like to object to the consideration of this measure, but the Senator from Oklahoma certainly ought to have an opportunity to discuss his amendment. As I understand it, he offered it, and then before any debate was had on it, the bill went over. I think that in the absence of the Senator from Oklahoma I shall be compelled to object.

The PRESIDENT pro tempore. Let the amendment be reported. It may be that the Senate will agree to it.

Mr. GLASS. Mr. President, I asked to have the bill go over for the reason that there has been very decided difference of opinion and controversy in the District Committee on a number of bills touching this particular matter. The bill on the calendar was acted on when I was not at the meeting of the committee, and I want to know what it is.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. GLASS. I want to have the bill reported so that I may know what it is.

The PRESIDENT pro tempore. The bill and the amendment will be read for the information of the Senate.

The bill had been reported from the Committee on the District of Columbia with an amendment to strike out all after the enacting clause and to insert:

That the Public Utilities Commission of the District of Columbia is hereby empowered and directed to fix reduced fares for school children not over 18 years of age going to and from school on street railway and bus lines in the District of Columbia, under such reasonable rules and regulations as the commission may establish: *Provided*, That such reduced fares shall not exceed one-half of the corresponding concurrent adult fares.

The CHIEF CLERK. The Senator from Oklahoma proposes to add the following proviso, to be inserted after line 13, page 2:

*Provided further*, That one fare paid by any student shall be sufficient to secure transportation to or from school regardless of whether such student has to transfer from one car system to another, from one bus line to another, or from street car to bus or from bus to street car: *Provided further*, That any student who submits proof of inability to pay the rate of fare prescribed shall be by the Board of Education provided with transportation without cost: *And provided further*, That the Board of Education is hereby authorized to use such funds of the school system as may be necessary to carry these provisos into effect.

Mr. COPELAND. Mr. President, it is provided in the bill that the rules and regulations shall be established by the Public Utilities Commission. I think perhaps when the Senator from Oklahoma offered his amendment the original bill was pending.

Mr. LA FOLLETTE. No; the amendment was offered by the Senator from Oklahoma the last time we had a call of the calendar, at a night session; but before any debate took place on the amendment some one objected to the consideration of the bill and it went over. In view of the fact that the Senator from Oklahoma is not here to argue for his amendment, it does seem to me that it would not be fair to dispose of it.

The PRESIDENT pro tempore. Is it not possible before the bill goes over to have the amendment of the committee agreed to?

Mr. GLASS. I do not object to the bill as reported, but I do object to the amendment.

The PRESIDENT pro tempore. Does the Senator object to having the committee amendment agreed to, to strike out all after the enacting clause and to insert?

Mr. GLASS. I have no objection to the bill as reported by the committee.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. WATSON subsequently said: Mr. President, I ask unanimous consent to return to Calendar No. 1247, the bill (H. R. 12571) to provide for the transportation of school children in the District of Columbia at a reduced fare. We passed it over a few minutes ago because the Senator from Oklahoma [Mr. THOMAS] was not in his seat. I understand there was no objection to the bill itself, the objection being made to the amendment offered by my friend from Oklahoma. He being here I ask unanimous consent to return to the bill for its present consideration.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Indiana?

Mr. BLEASE. I object.

The PRESIDENT pro tempore. Objection is made.

## CHANGE IN POSTAL RATES

The resolution (S. Res. 373) requesting the Postmaster General to withdraw his request for a change in certain postal rates was announced as next in order.



The PRESIDENT pro tempore. By request, the resolution will be passed over.

#### COLVILLE RESERVATION, WASH., PUBLIC SCHOOL

The Senate proceeded to consider the bill (H. R. 11675) to authorize the issuance of a patent in fee for certain land and buildings within the Colville Reservation, Wash., for public-school use, which was read the third time and passed, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized to transfer and convey by patent in fee to public-school district No. 14, of Okanogan County, Wash., title to certain lands and the buildings thereon, containing approximately 4½ acres located in the south half of the southeast quarter of section 24, township 31 north, range 30 east, of the Willamette meridian, Washington, formerly used as an Indian day school: *Provided*, That Indian children shall be admitted to said school on the same terms and conditions as white children, except that tuition may be paid in the discretion of the Secretary of the Interior for said Indian children: *Provided further*, That whenever said land and buildings cease to be used for public-school purposes, title thereto shall revert to the United States.

#### SIDNEY MORRIS HOPKINS

The Senate proceeded to consider the bill (H. R. 6193) for the relief of Sidney Morris Hopkins, which was read the third time and passed, as follows:

*Be it enacted, etc.,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Sidney Morris Hopkins, who was a member of the naval forces of the United States, at the time of his discharge being attached to the United States ship *New Hampshire*, shall hereafter be held and considered to have received a full honorable discharge from the naval service of the United States on March 14, 1921: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

#### ARTHUR G. CASWELL

The Senate proceeded to consider the bill (H. R. 6194) granting six months' pay to Arthur G. Caswell, which was read the third time and passed, as follows:

*Be it enacted, etc.,* That the Secretary of the Navy be, and he is hereby, authorized and directed to pay, out of the appropriation "Pay, subsistence, and transportation, Navy, 1930," to Arthur G. Caswell, father of James L. Caswell, late engineman (first class), United States Navy, an amount equal to six months' pay at the rate said James L. Caswell was receiving at the date of his death: *Provided*, That the said Arthur G. Caswell establish to the satisfaction of the Secretary of the Navy that he was actually dependent upon his son, James L. Caswell, at the time of the latter's death.

#### STUART L. JOHNSON

The Senate proceeded to consider the bill (H. R. 8936) authorizing the promotion on the retired list of the Navy of Stuart L. Johnson, ensign, which was read the third time and passed, as follows:

*Be it enacted, etc.,* That the Secretary of the Navy be, and he is hereby, authorized and directed to promote as of September 5, 1923, to the rank of lieutenant (junior grade) (retired), Stuart L. Johnson, now ensign (retired). That hereafter the pay of this officer while on the retired list shall be computed as if he had been retired in the rank of lieutenant, junior grade, September 5, 1923: *Provided*, That no back pay or allowances shall accrue prior to the passage of this act.

#### BILLS PASSED OVER

The bill (H. R. 7639) to amend an act entitled "An act to authorize payment of six months' death gratuity to dependent relative of officers, enlisted men, or nurses whose death results from wounds or disease not resulting from their own misconduct," approved May 22, 1928, was announced as next in order.

Mr. HALE. I ask that the bill may go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 4731) for the relief of Frederick Rasmussen was announced as next in order.

Mr. KING. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

#### TRACY LEE PHILLIPS

The bill (H. R. 10365) for the relief of Tracy Lee Phillips was considered, read the third time, and passed, as follows:

*Be it enacted, etc.,* That in the administration of the pension laws or of any laws conferring rights, privileges, or benefits upon

honorably discharged soldiers and sailors Tracy Lee Phillips shall hereafter be held and considered to have been honorably discharged on August 25, 1919, from the naval service of the United States during the World War: *Provided*, That no back pay, compensation, or allowance shall be held to have accrued prior to the passage of this act.

#### JAMES J. LINDSAY

The bill (S. 3929) for the relief of James J. Lindsay was announced as next in order.

Mr. KING. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

#### REPEAL OF SECTION 7 OF THE POSTAL ACT

The bill (S. 5365) to repeal section 7 of the postal act approved May 29, 1928, was announced as next in order.

The PRESIDENT pro tempore. By request, the bill will be passed over.

#### NELLIE M'MULLEN

The Senate proceeded to consider the bill (S. 2296) for the relief of Nellie McMullen, which had been reported from the Committee on Claims with an amendment, on page 1, line 9, to strike out the words "and the United States Employees' Compensation Commission is authorized and directed to consider and act upon her claim for compensation for the death of such Frank H. McMullen, under the other provisions of such act as amended," so as to make the bill read:

*Be it enacted, etc.,* That the requirements of sections 17 and 20 of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, are hereby waived in favor of Nellie McMullen, widow of Frank H. McMullen, late rural mail carrier of the Seymour, Ill., post office.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### HEIRS OF HARRIS SMITH

The Senate proceeded to consider the bill (S. 4489) for the relief of the heirs of Harris Smith, which had been reported from the Committee on Claims with amendments, on page 1, line 5, to strike out "\$5,000" and insert "\$3,500," and at the end of the bill to add the following proviso:

*Provided*, That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

So as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Treasury is hereby authorized and directed to pay to the heirs of Harris Smith the sum of \$2,500, out of any money in the Treasury not otherwise appropriated. Said Harris Smith was struck and killed August 1, 1921, by a United States mail truck. His widow has since died and he is survived by his children: *Provided*, That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### ESTATE OF WHITE B. MILLER

The bill (S. 4105) for the relief of the estate of White B. Miller was announced as next in order.

Mr. KING. Mr. President, that bill seems to have a great deal of merit, and yet it does seem to me that there is one objection to the measure. The deceased—and his heirs are



representing this claim—was an Assistant Attorney General, and while serving, he was specially designated to prosecute a case of considerable importance, which resulted advantageously to the Government. He undoubtedly rendered very valuable service. The question is whether or not, when a man is acting as Assistant Attorney General, employed by the Government for that purpose, and a very important case comes into his hands, he is entitled to additional compensation.

There have been too many cases where Special Assistant Attorneys General, in addition to the compensation they have received, have, I am advised, asked later on for additional compensation by reason of the particular and special work which they did.

Mr. WALSH of Montana. Mr. President, I inquire of the Senator, did the Government recover?

Mr. KING. Oh, yes; the Government recovered.

Mr. WALSH of Montana. How much?

Mr. KING. A million dollars. It was a question of taxes. The services were worth the money, there is no doubt, and I shall not interpose any objection.

Mr. TRAMMELL. Mr. President, was this man on a regular salary?

Mr. KING. That is my understanding, although I am not quite sure as to that; but I should like to have an explanation on that point.

Mr. TRAMMELL. Mr. President, I think it is very bad practice to pay additional fees to a regularly salaried officer, and for the present I will object to the bill.

The PRESIDENT pro tempore. The bill will be passed over.

#### THOMAS G. HAYES

The bill (S. 4509) for the relief of Thomas G. Hayes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust and settle the claim of Thomas G. Hayes, formerly private, Company A, One hundred and forty-second Machine Gun Battalion, Camp Beauregard, Alexandria, La., as reimbursement for money he failed to receive which was contained in registered letter No. 15158, which letter was mailed to him by Miss E. Hoffman, New Orleans, La., on April 26, 1918, and to allow in full and final settlement of said claim not to exceed \$40. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$40, or so much thereof as may be necessary, to pay said claim.

#### H. E. HURLEY

The bill (S. 4510) for the relief of H. E. Hurley was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust and settle the claim of H. E. Hurley, trading as J. E. Hurley, for damages resulting from the failure of the Government to execute and perform a contract in accordance with his proposal accepted June 27, 1928, for the installation of an ash bin in the State, War, and Navy Building, Washington, D. C., and to allow in full and final settlement of said claim the sum of not to exceed \$553.50. There is hereby appropriated out of any money in the Treasury not otherwise appropriated, the sum of \$553.50, or so much thereof as may be necessary, for payment of the claim.

#### SEWARD CITY MILLS (INC.)

The bill (S. 4675) for the relief of the Seward City Mills (Inc.) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust and settle the claim of the Seward City Mills (Inc.), for a balance alleged to be due under the contract 1-I-Ind-1660, dated September 7, 1928, for the delivery of flour to the Indian Service, and to allow in full and final settlement for said claim the sum of not to exceed \$830.82. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$830.82, or so much thereof as may be necessary, for payment of the claim.

#### ESTATE OF THOMAS BIRD

The bill (S. 4676) for the relief of the estate of Thomas Bird, deceased, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Comptroller General of the United States be, and he is hereby, authorized and directed to settle and adjust the claim of the estate of Thomas Bird, deceased, in the sum of \$1,917.39 representing the value of wheat requisitioned and taken by the United States Grain Corporation during the World War, the said amount having been covered into the Treasury of the United States as miscellaneous receipts, and to allow said claim in the amount not exceeding \$1,917.39. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$1,917.39 for the payment of this claim.

#### SUN SHIPBUILDING & DRY DOCK CO.

The bill (S. 5194) for the relief of the Sun Shipbuilding & Dry Dock Co. was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust and settle the claim of the Sun Shipbuilding & Dry Dock Co. arising from the use of its Pier No. 4 on June 21, 22, and 23, 1930, by the Government, and to allow in full and final settlement of said claim not to exceed the sum of \$110. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$110, or so much thereof as may be necessary, to pay said claim.

#### B. & O. MANUFACTURING CO.

The bill (S. 5196) for the relief of the B. & O. Manufacturing Co. was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Comptroller General of the United States be, and he is hereby, authorized and directed to settle and adjust the claim of the B. & O. Manufacturing Co. under contract No. 12429, dated May 28, 1929, for extra expense in recutting material for trousers delivered to said company by the Navy Department, and to allow not to exceed \$1,597.52 in full and final settlement of said claim. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$1,597.52, or so much thereof as may be necessary, to pay said claim.

#### DAVID GORDON BUILDING & CONSTRUCTION CO.

The bill (S. 5197) for the relief of the David Gordon Building & Construction Co. was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust and settle the claim of the David Gordon Building & Construction Co. arising out of certain work in the construction of lookout gallery and windows in the Cincinnati Post Office Building during the fiscal year 1930, and to allow in full and final settlement of said claim an amount not to exceed \$1,116.60. There is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of \$1,116.60, or so much thereof as may be necessary, for payment of the claim.

#### LESLIE W. MORSE

The bill (S. 5199) for the relief of Leslie W. Morse was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust and settle the claim of Leslie W. Morse, formerly private, Company A, One hundred and fortieth Regiment United States Infantry, as reimbursement for money contained in registered letter No. 337, which letter was mailed to him by his father, Fred Morse, De Sota, Kans., on April 20, 1918, receipted for by the proper Army agency, and never delivered to the addressee, and to allow in full and final settlement of said claim not to exceed \$20. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$20, or so much as may be necessary, to pay this claim.

#### NATIONAL BEN FRANKLIN FIRE INSURANCE CO.

The bill (S. 2008) for the relief of National Ben Franklin Fire Insurance Co. was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$406.29 to National Ben Franklin Fire Insurance Co., in full reimbursement for the sale by the Government of a Buick automobile stolen April 21, 1920, and while operated by the thief for illegal purposes was seized April 26, 1921, forfeited, and sold under the customs revenue laws, and the proceeds converted into the Treasury of the United States.

#### GOVERNMENT OF PORTO RICO

The Senate proceeded to consider the bill (S. 5138) to amend the organic act of Porto Rico, approved March 2, 1917, which was read, as follows:



*Be it enacted, etc.,* That section 13 of an act entitled "An act to provide a civil government for Porto Rico, and for other purposes," approved March 2, 1917, be, and the same is hereby, amended to read as follows:

"Sec. 13. That the following executive departments are hereby created: A department of justice, the head of which shall be designated as the attorney general; a department of finance, the head of which shall be designated as the treasurer; a department of interior, the head of which shall be designated as the commissioner of the interior; a department of education, the head of which shall be designated as the commissioner of education; a department of agriculture and commerce, the head of which shall be designated as the commissioner of agriculture and commerce; a department of labor, the head of which shall be designated as the commissioner of labor; and a department of health, the head of which shall be designated as the commissioner of health. The attorney general and commissioner of education shall be appointed by the President, by and with the advice and consent of the Senate of the United States, to hold office for four years and until their successors are appointed and qualified, unless sooner removed by the President. The heads of the five remaining departments shall be appointed by the governor, by and with the advice and consent of the Senate of Porto Rico. The heads of departments appointed by the governor shall hold office for the term of four years and until their successors are appointed and qualified, unless sooner removed by the governor.

"Heads of departments shall reside in Porto Rico during their official incumbency, and those appointed by the governor shall have resided in Porto Rico for at least one year prior to their appointment.

"The heads of departments shall collectively form a council to the governor, known as the executive council. They shall perform, under the general supervision of the governor, the duties hereinafter prescribed, or which may hereafter be prescribed by law, and such other duties, not inconsistent with law, as the governor, with the approval of the President, may assign to them; and they shall make annual and such other reports to the governor as he may require, which shall be transmitted to the executive department of the Government of the United States to be designated by the President as herein provided: *Provided*, That the duties herein imposed upon the heads of departments shall not carry with them any additional compensation."

Sec. 2. That section 18 of the said organic act, approved March 2, 1917, be, and the same is hereby, amended to read as follows:

"Sec. 18. That the commissioner of agriculture and commerce shall have general charge of such bureaus and branches of government as have been or shall be legally constituted for the study, advancement, and benefit of agriculture, commerce, and other industries, the chief purpose of this department being to foster, promote, and develop the agricultural interests and the welfare of the farmers of Porto Rico, to improve their market conditions, and to advance their opportunities for profitable sale of their products, and shall perform such other duties as may be prescribed by law."

Sec. 3. That between sections 18 and 19 of said organic act, approved March 2, 1917, a new section is hereby inserted to read as follows:

"Sec. 18 (a). That the commissioner of labor shall have charge of such bureaus and branches of government as have been or shall be legally constituted to foster and promote the welfare of the wage earners of Porto Rico, to improve their working conditions, and to advance their opportunities for profitable employment, and shall perform such other duties as may be prescribed by law."

Mr. BINGHAM. Mr. President, the last time this bill was called the senior Senator from Tennessee [Mr. McKellar] objected to its passage. He told me this afternoon he had withdrawn his objection, having given the bill full study, and that he has no objection to its going through.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### VOCATIONAL EDUCATION IN PORTO RICO

The Senate proceeded to consider the bill (S. 5139) to extend the provisions of certain laws relating to vocational education and civilian rehabilitation to Porto Rico, which was read, as follows:

*Be it enacted, etc.,* That Porto Rico shall be entitled to share in the benefits of the act entitled "An act to provide for the promotion of vocational education; to provide for cooperation with the States in the promotion of such education in agriculture and the trades and industries; to provide for cooperation with the States in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditure," approved February 23, 1917, and any act amendatory thereof or supplementary thereto, upon the same terms and conditions as any of the several States. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1932, and annually thereafter, the sum of \$105,000, to be available for allotment under such act to the island of Porto Rico: *Provided*, That of the sum authorized to be appropriated for the purposes of this act, the sum of \$30,000, if expended, shall be expended for the salaries of teachers of agricultural subjects; the sum of \$30,000, if expended, shall be expended for the salaries of teachers of home-economics subjects; the sum of \$30,000, if expended, shall be expended for the salaries

of teachers of trade and industrial subjects; and the sum of \$15,000, if expended, shall be expended for the maintenance of teacher training, including supervision.

Sec. 2. Porto Rico shall be entitled to share in the benefits of the act entitled "An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment," approved June 2, 1920, and any act amendatory thereof or supplementary thereto, upon the same terms and conditions as any of the several States. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1932, and annually thereafter, the sum of \$15,000, to be available for allotment under such act to the island of Porto Rico.

Mr. BINGHAM. Mr. President, repeating what I said before, this is another bill to which the senior Senator from Tennessee [Mr. McKellar] objected at the last call of the calendar, but, having given it additional study, he asked that it might be passed. The next bill he does object to, however.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### AMENDMENT OF ORGANIC ACT OF PORTO RICO

The bill (S. 5285) to amend the organic act of Porto Rico, approved March 2, 1917, was announced as next in order.

The PRESIDENT pro tempore. On objection, this bill will be passed over.

#### VACANCIES IN THE SENATE AND HOUSE OF REPRESENTATIVES OF PORTO RICO

The bill (S. 5416) to provide for the filling of certain vacancies in the Senate and House of Representatives of Porto Rico was announced as next in order.

Mr. BINGHAM. Mr. President, to this bill the Senator from Tennessee has no objection.

Mr. WALSH of Montana. Mr. President, I inquire of the Senator from Connecticut what change this bill makes in the organic law.

Mr. BINGHAM. Mr. President, this is a bill upon which the Legislature of Porto Rico has been working for some time. At present the organic act of Porto Rico requires that when a senator or representative dies, his place may only be filled by an election. This bill provides that where a senator at large dies or is incapacitated and resigns, his place may be filled by appointment by the governor on nomination from the executive committee of the party to which the ex-senator belonged. I will say to the Senator that under the organic act of Porto Rico senators at large represent both majority and minority parties, and it is possible, as it is in the New England towns where selectmen are elected, to elect them from either party.

Mr. WALSH of Montana. I shall have to object to the bill.

Mr. BINGHAM. Mr. President, there is no objection on the part of anyone in Porto Rico, because it protects the minority. If a member of the minority dies, the minority executive committee may nominate and the governor may appoint.

Mr. WALSH of Montana. I can not consent to an act giving the Governor of Porto Rico power to appoint a member of the Porto Rican Legislature.

The PRESIDENT pro tempore. Objection is made, and the bill goes over.

Mr. BINGHAM. Mr. President, will the Senator withhold his objection a moment?

Mr. WALSH of Montana. I withhold the objection.

Mr. BINGHAM. The effect of the present law is that when a senator at large dies, the expense of holding an election at large over the entire island of Porto Rico, with its 1,500,000 people, is so large, and the budget of the government is so limited, that they simply do not hold an election, and the people are not represented.

The legislature has been working on this for some time at the request of the representatives of all the recognized parties in Porto Rico. Telegrams have come from the president of the Senate and the speaker of the House of Representatives of Porto Rico urgently requesting the passage of the bill in order to take care of their local situation.

Mr. WALSH of Montana. That same argument, the expense of a special election, has been often urged in favor



of legislation of this character for the filling of vacancies in the legislatures of various States and has never prevailed with the American people.

Mr. BINGHAM. The Senator will realize that when a Senator dies in any State the governor is permitted to appoint until the next election, and that is all that is provided for by this bill.

Mr. WALSH of Montana. Not to the State legislature, however.

The PRESIDENT pro tempore. The Chair understands the Senator from Montana to adhere to his objection?

Mr. WALSH of Montana. I do.

The PRESIDENT pro tempore. On objection the bill goes over.

#### AMENDMENT OF SECTION 319, PENAL LAWS

The bill (S. 2832) to amend section 319 of the act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909, was announced as next in order.

Mr. BINGHAM. Mr. President, all that the bill does is this: Under the statute proposed to be revised the Territories were required to make returns in regard to marriages and marriage certificates. That was all right in the days when the Territories were not well organized. At the present time the Territory of Hawaii has an adequate system, which is in fact more elaborate than that in vogue in the United States. Under the present statute they are obliged to duplicate this work by making a report to the Federal Government. At the request of the Government of Hawaii and its Delegates this measure has been introduced. It merely means making an exception of Hawaii so they may not be required to duplicate the returns.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the last sentence of section 319 of the act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909, as amended (U. S. C., title 18, sec. 519), is amended by striking out the period at the end thereof and inserting a comma and the following: "except the Territory of Hawaii."

#### BILL AND JOINT RESOLUTIONS PASSED OVER

The bill (S. 3643) to extend the admiralty laws of the United States of America to the Virgin Islands was announced as next in order.

Mr. BINGHAM. Mr. President, the Senator from Tennessee [Mr. McKellar] has an amendment to this bill. I have asked the Secretary for a statement as to the effect of the amendment, and I have not yet had a reply; so I ask that the bill may go over.

The PRESIDENT pro tempore. The bill will be passed over.

The joint resolution (S. J. Res. 132) extending the provisions of sections 1, 2, 6, and 7 of the act of Congress entitled "An act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote the continuous production of timber on lands chiefly suitable therefor" to Porto Rico was announced as next in order.

Mr. BINGHAM. This is objected to by the Senator from Tennessee [Mr. McKellar], so that I ask that it may go over.

The PRESIDENT pro tempore. The joint resolution will be passed over.

The joint resolution (S. J. Res. 120) authorizing the President to reorganize the administration of the insular possessions was announced as next in order.

Mr. BINGHAM. This was also objected to by the Senator from Tennessee [Mr. McKellar], so I ask that it may go over.

The PRESIDENT pro tempore. The joint resolution will be passed over.

#### DONALD K. WARNER

The bill (S. 5192) for the relief of Donald K. Warner was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement against the Government, to Donald K. Warner, postmaster at Oakdale, Nebr., the sum of \$869.17, being the amount of stamps and postal funds lost in the burglary of the post office on the night of December 13, 1928.

#### BILLS PASSED OVER

The bill (S. 5288) to authorize the construction of certain naval vessels, and for other purposes, was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 14255) to expedite the construction of public buildings and works outside of the District of Columbia by enabling possession and title of sites to be taken in advance of final judgment in proceedings for the acquisition thereof, under the power of eminent domain, was announced as next in order.

Mr. JOHNSON. Over.

The PRESIDENT pro tempore. The bill will be passed over.

#### AMENDMENT OF FEDERAL FARM LOAN ACT

The bill (H. R. 12063) to amend section 16 of the Federal farm loan act was announced as next in order.

Mr. FLETCHER. Over.

Mr. NORBECK. Mr. President, I inquire who objected?

The PRESIDENT pro tempore. The Senator from Florida [Mr. FLETCHER] objected.

Mr. FLETCHER. I understood the Senator from Iowa [Mr. BROOKHART] had an objection to the bill, but he is here and can speak for himself.

Mr. NORBECK. I did not think anybody would object to the bill.

The PRESIDENT pro tempore. The Chair understands the Senator from Florida to withdraw his objection?

Mr. FLETCHER. Yes; I do.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Banking and Currency with amendments, the first amendment being on page 2, line 2, to strike out the words "within the period of seven months after the date of the passage of this act," so as to make the clause read:

In any case where a joint-stock land bank has been, or may be, declared insolvent and placed in the hands of a receiver by the Federal Farm Loan Board, any Federal land bank or joint-stock land bank may, in the manner as may be prescribed by the Federal Farm Loan Board and with the approval of the Federal Farm Loan Board, acquire the assets and assume the liabilities of said joint-stock land bank in the hands of a receiver.

The amendment was agreed to.

Mr. BROOKHART. Mr. President, just a moment. There is objection to this measure.

Mr. NORBECK. The bill simply makes it possible for land banks to function that have gone into the hands of other parties. When a land bank breaks down another bank can buy the assets, but can not continue the business.

Mr. BROOKHART. This is the 8-State bill?

Mr. NORBECK. Yes. It is limited to eight States, as it came over from the House.

Mr. BROOKHART. I must object to its present consideration.

The PRESIDENT pro tempore. On objection, the bill will be passed over.

#### EXPENSES FOR OPERATION OF MOTOR CYCLES AND AUTOMOBILES

The bill (H. R. 12014) to permit payments for the operation of motor cycles and automobiles used for necessary travel on official business, on a mileage basis in lieu of actual operating expenses, was considered, ordered to a third reading, read the third time, and passed, as follows:



*Be it enacted, etc.,* That a civilian officer or employee engaged in necessary travel on official business away from his designated post of duty may be paid, in lieu of actual expenses of transportation under regulations to be prescribed by the President, not to exceed 3 cents per mile for the use of his own motor cycle or 7 cents per mile for the use of his own automobile for such transportation, whenever such mode of travel has been previously authorized and payment on such mileage basis is more economical and advantageous to the United States. This act shall take effect July 1, 1931, and all laws or parts of laws are hereby modified or repealed to the extent same may be in conflict herewith.

#### BILL AND RESOLUTION PASSED OVER

The bill (S. 5515) to amend section 29 of the act of August 29, 1916, entitled "An act to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those islands" was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The resolution (S. Res. 406) authorizing the special committee on campaign expenditures to impound ballots and ballot boxes, was announced as next in order.

The PRESIDENT pro tempore. By request, the resolution will go over.

Mr. HEFLIN. Whose resolution is it?

The PRESIDENT pro tempore. It is the resolution of the Senator from Nebraska [Mr. NORRIS] which was considered and ordered to the calendar. In the absence of the Senator from Colorado [Mr. PHIPPS] the Chair interposes an objection in his behalf. The resolution will be passed over.

#### WORK OF DEPARTMENT OF AGRICULTURE IN ALASKA

The bill (H. R. 252) to facilitate work of the Department of Agriculture in the Territory of Alaska, was considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Secretary of Agriculture be, and he is hereby, authorized to furnish subsistence to employees of the United States Department of Agriculture in the Territory of Alaska, and to purchase personal equipment and supplies for them, and to make deductions to meet the cost thereof from any money appropriated for salary payments or otherwise due such employees.

#### BILLS PASSED OVER

The bill (S. 5440) to authorize an emergency appropriation for a special study of, and demonstration work in, rural sanitation was announced as next in order.

Mr. KING. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. KING. Was not this bill or one similar to it passed some time ago?

The PRESIDENT pro tempore. An item to provide for the same thing has been carried in an appropriation bill.

Mr. JONES. That is correct. I ask that the bill may go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 5644) to amend the act entitled "An act to authorize and direct the survey, construction, and maintenance of a memorial highway to connect Mount Vernon, in the State of Virginia, with the Arlington Memorial Bridge across the Potomac River at Washington," approved May 23, 1928, as amended, was announced as next in order.

Mr. HOWELL. Over.

Mr. FESS. Mr. President, will the Senator withhold his objection just a moment?

Mr. HOWELL. Yes.

Mr. FESS. This is an emergency situation. An item of \$2,700,000 was included in the first deficiency bill, which item went out on a point of order. If this bill were passed by the Senate that item could be carried in the next deficiency bill. I am authorized by the Chief of the Bureau of Roads to say that the work will have to be discontinued within two weeks unless authority is given to proceed with it. I hope the Senator from Nebraska will be able to look over the work within the next few days and make a report.

Mr. HOWELL. Mr. President, when this highway was proposed its cost was stated. It now seems that the cost is to be nearly doubled. The only reason why I am making the objection is that I would like to talk with the official who is in charge of the construction of the boulevard and learn why the estimates have been so greatly increased. I hope to be able to do so by next week.

The PRESIDENT pro tempore. On objection of the Senator from Nebraska, the bill will be passed over.

#### TRAFFIC ACTS OF DISTRICT OF COLUMBIA

The bill (S. 5249) to amend the acts of Congress approved March 3, 1925, and June 3, 1926, known as the District of Columbia traffic acts, and for other purposes, was announced as next in order.

The PRESIDENT pro tempore. On January 26 the bill was considered and all amendments agreed to.

Mr. BLAINE. Mr. President, there is a companion bill which has been passed by the House of Representatives and which has been considered by the Committee on the District of Columbia and is to be reported favorably by that committee with amendments. I ask that this bill be passed over temporarily. I assume that the other bill is on the calendar.

The PRESIDENT pro tempore. The Chair understands the bill is not on the calendar.

Mr. KEAN. Mr. President, I ask unanimous consent to report favorably, with amendments, from the Committee on the District of Columbia the bill (H. R. 14922) to amend the acts of Congress approved March 3, 1925, and June 3, 1926, known as the District of Columbia traffic act, and for other purposes.

The PRESIDENT pro tempore. Without objection, the report will be received.

Mr. KEAN. I now move that the House bill be substituted for the Senate bill.

The PRESIDENT pro tempore. Without objection, the House bill will be substituted for the Senate bill and the amendments to the House bill reported by the District of Columbia Committee will be stated.

Mr. BLAINE. The report of the District Committee contains amendments.

The PRESIDENT pro tempore. The amendments will be stated.

The first amendment was, on page 4, line 1, after the word "trailers," to strike out the colon and the following proviso:

*Provided,* That hereafter congressional tags now issued, shall be issued by the commissioners under consecutive numbers, one to each Senator and Representative in Congress for their official use, which when used officially by them individually, shall authorize their automobiles to be parked in any available curb space in the District of Columbia, except within fire-plug limitations, but such congressional tags shall not be assigned to or used by others.

The amendment was agreed to.

The next amendment was, on page 6, line 1, after the word "Provided" and the comma to insert:

That the commissioners may establish and locate parking areas in the vicinity of governmental establishments for use only by Members of Congress and governmental officials when on official business: *Provided further,*

The amendment was agreed to.

The next amendment was, on page 6, line 25, after the word "promulgated" to insert a comma.

The amendment was agreed to.

The next amendment was, on page 9, line 4, before the heading "Speeding and reckless driving," to insert quotation mark.

The amendment was agreed to.

The next amendment was, on page 10, commencing with line 9, to strike out all down to and including line 12, on page 11, and in lieu thereof to insert the following:

SEC. 10. (a) Any person operating a motor vehicle who shall injure any person therewith, or who shall do substantial damage to property therewith and fail to stop and give assistance, together with his name, place of residence, including street and number, and the name and address of the owner of the motor vehicle so operated, to the person so injured, or to the owner of such property so damaged, or to the operator of such other motor vehicle, or to any bystander who shall request such information on behalf



of the injured person, or, if such owner or operator is not present, then he shall report the information above required to a police station or to any police officer within the District immediately. In all cases of accidents resulting in injury to any person the operator of the motor vehicle causing such injury shall also report the same to any police station or police officer within the District immediately.

Any operator whose motor vehicle causes personal injury to an individual and who fails to conform to the above requirements shall, upon conviction of the first offense, be fined not more than \$500, or shall be imprisoned not more than six months, or both; and upon the conviction of his second or subsequent offense, shall be fined not more than \$1,000, or shall be imprisoned not more than one year, or both.

Any operator whose motor vehicle causes substantial damage to any other vehicle or property and fails to conform to the above requirements shall, upon conviction of the first offense, be fined not more than \$100, or be imprisoned not more than 30 days, or both; and for the second or any subsequent offense, be fined not more than \$300 or be imprisoned not more than 90 days, or both.

Mr. BLEASE. Mr. President, I would like to ask the Senator from New Jersey [Mr. KEAN] why these penalties should be so severe?

Mr. BLAINE. If the Senator from New Jersey will permit me to answer the question, the penalties the Senator is thinking about are applicable to the hit-and-run driver who injures somebody or kills somebody and runs away, leaving the scene of action.

Mr. BLEASE. The police in the District of Columbia never would catch them anyway. So I object to the present consideration of the bill.

The PRESIDENT pro tempore. On objection, the bill will be passed over.

Mr. WALSH of Montana. Mr. President, as the bill goes over, I desire to ask the Senator from Wisconsin whether the request of which mention is made by the bill must be made by the person injured? I took it that it was only the bystander who need make the request.

Mr. BLAINE. The duty of the person who causes the injury is to give the information to the injured, and if a bystander makes a request to give it, also to give it to the bystander, it being the theory that the injured may be unconscious, and therefore the person who caused the injury could not give that information to him.

Mr. WALSH of Montana. I find no fault with that at all; he should give it to the bystander if the bystander requests it; and so he should give it to the injured person if the injured person requests it; or if one automobile bumps into another and an injury is caused, it does not seem to me that we ought to put upon the person who causes the injury the burden of giving all that information to the person whose automobile is injured unless he requests it. He might just start off without regarding the matter as serious at all. I have been in that situation myself.

Mr. BLAINE. In view of the very situation the Senator has mentioned and the thought he has expressed, I offered this amendment, which was agreeable to the committee and to the corporation counsel, providing that that notice need not be given unless there is substantial damage in case of damage to property.

Mr. WALSH of Montana. I submit to the Senator whether the penalty ought to be imposed upon the man who does not give the information if the injured man does not even ask for it.

Mr. BLAINE. Only in case there is substantial damage to property.

SEVERAL SENATORS. Regular order!

The PRESIDENT pro tempore. The regular order is demanded. The clerk will state the next bill on the calendar.

#### WILD-LIFE CONSERVATION

The bill (S. 5813) to provide for the consideration of wild-life conservation in connection with the construction of public works or improvement projects was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That hereafter any Government agency or establishment authorized to construct any public works or other improvement project likely to affect wild life (including aquatic life, bird life, animal life, and plant life) shall give due consideration

to the effect of such project upon the replacement and conservation of wild life, and to that end shall, before finally approving any plans for such works or project, seek the advice and cooperation of the Bureau of Biological Survey, the Bureau of Fisheries, the Forest Service, the National Park Service, and any other agencies or establishments of the Government whose activities are concerned with the replacement or conservation of wild life. Such agencies and establishments are authorized to advise and confer with the agency or establishment having supervision of the construction of such public works or project, with a view to determining the most appropriate methods for carrying out such construction with the least injury to wild life.

#### DEGREE-CONFERRING INSTITUTIONS IN THE DISTRICT OF COLUMBIA

The bill (S. 5465) to amend section 586c of the act entitled "An act to amend subchapter 1 of chapter 18 of the Code of Laws for the District of Columbia relating to degree-conferring institutions," approved March 2, 1929, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That section 586c of the act entitled "An act to amend subchapter 1 of chapter 18 of the Code of Laws for the District of Columbia relating to degree-conferring institutions," approved March 2, 1929, be, and the same is hereby, amended by adding at the end of such section the following: "Provided, That no institution heretofore incorporated under the provisions of this act, and carrying on its work exclusively in any foreign country with the consent and approval of the Government thereof, shall if otherwise entitled to be licensed by the Board of Education, be denied the same solely because of the inclusion in its name and as descriptive of its origin of any of the specific words the use of which is by this section forbidden to corporations under the provisions of this act."

#### BOULDER CITY TOWN SITE

The bill (S. 5797) authorizing establishment of a Boulder City town site, and necessary expenditures in connection therewith, and for other purposes, was announced as next in order.

Mr. KING. Let that bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. ODDIE. Mr. President, I ask the Senator from Utah if he will allow me to make a short statement in reference to the bill to which he has just objected?

Mr. KING. Yes.

Mr. ODDIE. The passage of this bill is requested by the Department of the Interior to enable it to proceed with work on the Boulder Dam project which is in progress. It is a very important bill, and it is necessary that it be passed in order that the town site may be created and the men working at the dam may be housed. In a short time there will be more than 2,000 men working there. It is a very vital matter that the bill go through. I will ask the Senator from Utah if he will withdraw his objection to its present consideration?

Mr. KING. The objection I have to the bill, on a cursory examination, is that it proposes to give to the Secretary of the Interior almost unlimited authority over the persons there, and unlimited authority of the expenditures which would be made. There seems to be no limitation as to what he might expend for sewers, for streets, for buildings, for public improvements, for public utilities, and so on. It is a very loosely drawn bill, in my opinion.

Mr. ODDIE. I am informed that the bill has passed the House of Representatives. Discretion must be lodged with the Secretary in building this town. The town has already been laid out, but in carrying on the work, the leasing of the ground on certain terms to people who will build the houses, and the construction of certain public works, which are necessary must be provided for. That is something that is very important in carrying on this great project which is now under way.

Mr. FLETCHER. Mr. President, the Senator from Nevada has stated that this bill has passed the House of Representatives but it is a Senate bill.

Mr. ODDIE. I should have said that a similar bill has been introduced and has passed the House of Representatives, as I have been informed.

Mr. FLETCHER. Then the House bill should be substituted for the Senate bill.



Mr. JONES. Did I correctly understand the Senator from Nevada to say that such a bill has passed the House of Representatives?

Mr. ODDIE. That is what I understand.

Mr. JONES. If such a measure or a similar one has passed the other House, that bill should be substituted for the Senate bill.

Mr. ODDIE. If it is similar to the Senate bill, it can be substituted for the Senate bill. The information which has come to me is that a similar measure has passed the House of Representatives.

Mr. JONES. I suggest that the bill go over until the Senator from Nevada can definitely ascertain if a similar bill has been passed by the House, and, if it has, he should ask that it be substituted for the Senate bill. I ask that the Senate bill may be passed over temporarily. I have no objection to the passage of the measure.

The PRESIDENT pro tempore. The bill will be passed over temporarily.

Mr. ODDIE subsequently said: Mr. President, I will ask the Senate to recur to Order of Business 1416, being Senate bill 5797. I was misinformed a few minutes ago when I stated that the bill had passed the House. It has not passed the House but was reported favorably by the House committee and is at present on the House Calendar. So I hope the objection will be withdrawn and that this bill may be passed.

Mr. KING. I withdraw the objection—

The PRESIDENT pro tempore. Without objection—

Mr. JOHNSON. Mr. President, I ask that the bill be passed over. I have just been glancing at some of its provisions.

The PRESIDENT pro tempore. The bill will be passed over on objection of the Senator from California.

#### CONSTRUCTION OF PIPE LINES IN THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (S. 5297) to permit construction, maintenance, and use of certain pipe lines for petroleum and petroleum products, which had been reported from the Committee on the District of Columbia with an amendment on page 2, after line 14, to insert a new section, as follows:

SEC. 3. That no permission granted or enjoyed hereunder shall vest any title or interest in or to the land within the above-mentioned streets, or affect any right, title, or interest of the United States in or to land within square south of square 708.

So as to make the bill read:

*Be it enacted, etc.,* That the Commissioners of the District of Columbia be, and they are hereby, authorized and empowered to grant permission to the Gulf Refining Co., a corporation organized and existing under the laws of the State of Texas and registered and doing business in the District of Columbia, to lay down, construct, maintain, and use not more than 10 pipe lines for the carriage of petroleum and petroleum products from a point or points within square 662 in the city of Washington, in the District of Columbia, said square being bounded on the north by R Street, on the south by S Street, on the east by Water Street and South Capitol Street, and on the west by Half Street (west), in and through Water Street and South Capitol Street in an easterly direction to lot 4, of square south of square 708, which lot is bounded on the north by lands of the Standard Oil Co., on the south by S Street extended, on the east by Anacostia River, and on the west by South Capitol Street.

SEC. 2. That all the construction and use provided for herein shall be in accordance with plans approved by the Commissioners of the District of Columbia and under such regulations and rentals as the said commissioners may make and establish in connection herewith.

SEC. 3. That no permission granted or enjoyed hereunder shall vest any title or interest in or to the land within the above-mentioned streets, or affect any right, title, or interest of the United States in or to land within square south of square 708.

SEC. 4. That the Congress reserves the right to alter, amend, or repeal this act at any time.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### FLotation OF FOREIGN INVESTMENT LOANS

The resolution (S. Res. 305) opposing action by the State Department with respect to the flotation of foreign invest-

ment loans in the United States and its assumption of certain authority over the Federal Reserve Board and banks, was announced as next in order.

Mr. REED. I ask that the resolution go over.

The PRESIDENT pro tempore. The resolution will go over.

Mr. GLASS. Mr. President, if the Senator from Pennsylvania will withhold his objection for just a moment, I will be obliged to him.

Mr. REED. Very well; I withhold it.

Mr. GLASS. I shall not, Mr. President, delay the consideration of the Unanimous Consent Calendar by moving to consider this resolution to-night, but I give notice that at a suitable time I shall call up the resolution and ask to have it adopted. It is a resolution expressing the sense of the Senate that the State Department cease exercising a dangerous power for which it has not one particle of warrant of law. The resolution was considered and unanimously reported by the Banking and Currency Committee, and later I propose to move its adoption.

The PRESIDENT pro tempore. The resolution will go over.

#### IRMA UPP MILES

The bill (S. 4477) for the relief of Irma Upp Miles, the widow, and Meredeth Miles, the child, of Meredith L. Miles, deceased, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That in the administration of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, Meredith L. Miles shall be held and considered to have been an employee of the United States within the meaning of that act at the time of his injury and death, resulting from an explosion at the petroleum experiment station of the United States Bureau of Mines at Bartlesville, Okla., on December 13, 1929.

#### AUGUSTA CORNOG

The bill (S. 5467) to amend an act for the relief of Augusta Cornog, approved May 29, 1928, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the act for the relief of Augusta Cornog, approved May 29, 1928, be, and the same is hereby, amended as follows: After the semicolon following the word "hospital," strike out the following words: "and that said Augusta Cornog shall be admitted to such Army hospital as may be directed by the Surgeon General of the United States Army for necessary care and treatment," and insert in lieu thereof the following: "and that said Augusta Cornog shall be removed from Fitzsimons General Hospital, an Army hospital, at Denver, Colo., and that the Director of the Veterans' Bureau be required to admit her to the United States veterans' hospital at Oteen, N. C., for necessary care and treatment," so that the same will read as follows:

"That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement against the Government, the sum of \$2,000 to Augusta Cornog, a former employee of the United States Public Health Service, who contracted tuberculosis while employed at the Atlanta Veterans' Bureau hospital; and that said Augusta Cornog shall be removed from Fitzsimons General Hospital, an Army hospital, at Denver, Colo., and that the Director of the Veterans' Bureau be required to admit her to the United States veterans' hospital at Oteen, N. C., for necessary care and treatment."

#### JULIAN E. GILLESPIE

The bill (H. R. 9205) for the relief of Julian E. Gillespie was considered, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay Julian E. Gillespie, former special disbursing agent, Department of Commerce, the sum of \$688, out of money in the Treasury not otherwise appropriated, on account of expenditures made by him in good faith upon Government business, which were disallowed by the General Accounting Office, and repaid to the Treasury out of the private funds of said Julian E. Gillespie by direction of the Comptroller General of the United States.

#### DAROLD BRUNDIGE

The bill (H. R. 2458) for the relief of Darold Brundige was considered, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money



in the Treasury not otherwise appropriated, to Darold Brundige, the sum of \$2,215.05 in full settlement of all claims against the United States because of personal injuries sustained in an accident in which said Darold Brundige was struck by a motor truck owned and operated by the Post Office Department of the United States: *Provided*, That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

ANDREW J. BROWN

The Senate proceeded to consider the bill (H. R. 9872) to extend the benefits of the employees' compensation act of September 7, 1916, to Andrew J. Brown, a former rural mail carrier at Erwin, Tenn., which had been reported from the Committee on Claims with an amendment to strike out all after the enacting clause and insert:

That sections 17 and 20 of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, are hereby waived in favor of Andrew J. Brown, a former rural mail carrier at Erwin, Tenn.

Mr. JONES. Mr. President, I should like to have the Senator who reported the bill tell us briefly why sections 17 and 20 of the law are to be waived in this case.

The PRESIDENT pro tempore. The Senator reporting the bill is not in attendance at the minute.

Mr. CARAWAY. Mr. President, if I may supply the information, the beneficiary of this bill was disabled and was not able to take advantage of the compensation act. All the bill seeks to do is to permit him to file his claim and let the compensation commission pass upon the question whether or not he is entitled to relief.

Mr. JONES. With the Senator state briefly why he could not present his claim?

Mr. CARAWAY. I have forgotten the exact facts.

Mr. HOWELL rose.

Mr. CARAWAY. Perhaps the Senator from Nebraska remembers them. I do not remember all the circumstances, although I do remember the bill was carefully considered by the committee.

Mr. JONES. Mr. President, will the Senator from Nebraska state briefly how the man was disabled so that he could not present his claim?

Mr. HOWELL. An automobile or a truck ran into the buggy which he was driving, and he was thrown out and disabled; but he felt at the time it was not a serious matter, and as a consequence he made no report of it whatever at the time. However, there was evidence of the fact that he had suffered a casualty, and when he came to make a claim the time within which he should have filed it had expired. Our committee has taken the position that where there is evidence that the laches was not of a character that would prejudice the Government's case we would waive the statute of limitations and allow the claimant to go before the compensation commission and prove his case, if he could.

Mr. JONES. That is satisfactory to me.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "A bill for the relief of Andrew J. Brown."

#### PENSIONS AND INCREASE OF PENSIONS

The Senate proceeded to consider the bill (H. R. 15930) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, which

had been reported from the Committee on Pensions with an amendment.

The amendment of the Committee on Pensions was, on page 61, after line 21, to insert:

The name of Annie L. Haynes, widow of John R. Haynes, late of Company B, Third Regiment United States Volunteer Infantry, and pay her a pension at the rate of \$20 per month, and \$30 per month when it is shown that she has attained the age of 60 years.

The name of Harriet Norris, widow of Jeremiah Norris, late of Captain Hilbourn's Company, Fourth Regiment Unattached Massachusetts Military Infantry, and pay her a pension at the rate of \$20 per month and \$30 per month when it is shown that she has attained the age of 60 years.

The name of Elizabeth Ware, widow of Rice Ware, late of Troop M, Thirteenth Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of \$30 per month.

The name of Mary C. Bliss, widow of Lyman W. Bliss, late surgeon, Fifty-first Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Belle A. Clark, widow of William H. Clarke, late of Company E, Forty-second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Catherine Tully, widow of Edward G. Tully, alias Edward Atherton, late of Company C, Ninety-seventh Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Franklin D. Pierce, late of Capt. Walter P. Ingram's Company B, Hall's Gap Battalion, Kentucky State Troops, and pay him a pension at the rate of \$50 per month.

The name of Ruth T. Guffin, widow of Oren Guffin, late of Battery C, Fifth Regiment New York Heavy Artillery, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Anna E. Vetter, widow of Charles Vetter, late of Company A, Two hundred and fourteenth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Katherine G. Sexton, helpless child of Bartholomew Sexton, late of Company I, Fourth Regiment Rhode Island Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Louise Claussen, widow of William Claussen, late of Troop C, First Regiment New Jersey Volunteer Cavalry, and pay her a pension at the rate of \$30 per month.

The name of Anna Miller, widow of Lewis Miller, late of Company A, Sixty-fifth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Lulu Anderson, widow of Peter Anderson, late of Company C, Seventeenth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Jennie Ball, widow of Henry A. Ball, late of Battery D, Seventh Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of John B. Wardell, helpless child of Samuel B. Wardell, late of Company K, One hundred and forty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The name of Flora May Wardell, helpless child of Samuel B. Wardell, late of Company K, One hundred and forty-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Margaret Goodner, widow of Thomas J. Goodner, late of Company B, One hundred and thirty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Sarra Elizabeth Harrell, widow of Garrett Harrell, late of Company H, One hundred and twenty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Adam Ulrich, helpless child of Joseph Ulrich, late of Company I, One hundred and twenty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The name of Martha A. Brand, widow of John F. Brand, late of Troop D, Third Regiment West Virginia Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Lucinda C. Muncey, former widow of Reuben Muncey, late of Company B, Forty-ninth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary Emory, widow of Charles Emory, late of Company H, One hundredth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Hannah F. Mundell, widow of Joseph Mundell, late of Troop C, Ninth Regiment Kansas Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Catharine Venum, widow of Samuel Venum, late of Company C, Eleventh Regiment Missouri State Militia Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.



The name of Jane A. Johnson, widow of Reuben W. Johnson, late of Company K, Tenth Regiment Rhode Island Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Annie Baxter, widow of Allen F. Baxter, late of Signal Corps, United States Volunteers, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Annie S. Sweetland, widow of Edward Sweetland, late of Company B, Eleventh Regiment Rhode Island Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Almira M. Stone, widow of Almanzo Scott Stone, late of Battery B, First Regiment Rhode Island Light Artillery, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Emma Steere, widow of Alphonso Steere, late of Battery D, Second Regiment Massachusetts Heavy Artillery, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary E. Mann, widow of Gilbert Mann, late of Company B, Eleventh Regiment Rhode Island Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Eliza A. McCausland, widow of Norman L. McCausland, late of Battery B, First Regiment Rhode Island Light Artillery, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Martha L. Shepperd, widow of Thomas C. Shepperd, late of Company I, Fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary E. Moncrief, widow of John C. Moncrief, late of Company I, Sixty-eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Edna M. W. Fales, widow of William E. Fales, late of Troop F, Second Regiment Massachusetts Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Jane Yates, widow of Rufus Yates, late of Company F, One hundred and nineteenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary L. Van Guilder, widow of Burnam E. Van Guilder, late of Company K, One hundred and twenty-third Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Cordella Vilmire, widow of Peter Vilmire, late of First Battery Vermont Volunteer Light Artillery, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of May S. King, widow of David W. King, late of Company E, Fifteenth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Charles S. Follett, helpless child of Benjamin Follett, late of Company K, Twenty-fourth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The name of Kate Neafus, widow of David B. Neafus, late of Company C, Seventeenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Phoebe Peak, widow of Joab Peak, late of Company E, Fifty-first Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Lucinda Hoskins, widow of James C. Hoskins, late of Company C, Thirty-fifth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Laura F. Carr, widow of Lemuel N. Carr, late of Company C, One hundred and twenty-second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Cora E. Nolan, former widow of Henry D. Burlingame, late of Company E, Nineteenth Regiment Minnesota Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Effie Compton, widow of William D. Compton, late of Company A, One hundred and twentieth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$20 per month, and \$30 per month when it is shown that she has attained the age of 60 years.

The name of Emma C. Campbell, widow of Samuel Campbell, late of Company H, One hundred and third Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Emma E. Hudelson, widow of Robert D. Hudelson, late of Company K, Fifty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Mary A. Runnion, widow of Hiram E. Runnion, late of Company F, Second Regiment North Carolina Mounted Infantry, and pay her a pension at the rate of \$20 per month, and \$30 per month when it is shown that she has attained the age of 60 years.

The name of Annie M. Logan, widow of Herman N. Logan, late of Company B, Thirty-fourth Regiment Illinois Volunteer In-

fantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Harriet E. Delay, widow of William Warren Delay, late of Troop E, Seventh Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of \$30 per month.

The name of Mary Bell Hoggins, widow of Robert C. Hoggins, late of Company C, Twenty-fourth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Jane Graham, widow of Edward J. Graham, late of Troop E, Seventh Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Martha E. McPherson, widow of Nimrod B. McPherson, late of Company B, One hundred and thirty-third Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Katharine Mertz, widow of Gottfried Mertz, late of Battery I, First Regiment New York Light Artillery, and pay her a pension at the rate of \$30 per month.

The name of Nancy Copen, widow of William Copen, late of Company K, One hundred and ninety-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Emma E. Bennett, former widow of Isaac D. Worster, late of Company E, Ninth Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Louisa A. Cleveland, widow of Charles Alonzo Cleveland, late of Company H, Sixth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Fannie A. Knowles, widow of Harford B. Knowles, late acting assistant surgeon, United States Army, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The name of Sarah S. Ward, widow of William M. Ward, late of Company G, Twelfth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Nora Ernst, widow of John Ernst, late of Company I, Two hundred and thirteenth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Elizabeth May, widow of Thomas J. May, late of Company A, Fifty-eighth Regiment New York National Guard Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary A. Woodworth, former widow of James S. Richardson, late of Troop D, First Regiment Wisconsin Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary E. Tilford, widow of John W. Tilford, late of Troop A, First Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of \$30 per month.

The name of Frieda Gilliland, widow of William F. Gilliland, late of Company E, Eighty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Lizzie Berry, widow of Wakefield Berry, late of Company D, Sixty-seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Mollie A. Bellomy, widow of Robert Bellomy, late of Troop K, Eighth Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of \$20 per month, and \$30 per month when it is shown that she has attained the age of 60 years.

The name of Mary Jane Simms, widow of Theodore Simms, late of Company K, Thirtieth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Mollie T. Graham, widow of Finley Graham, late of Company F, Thirty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Francis Marion Loughead, helpless child of John Loughead, late of Company E, Forty-second Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The name of Minnie T. Harris, widow of William H. Harris, late of Company C, Twelfth Regiment Maryland Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Sarah E. Kinnear, widow of Thomas J. Kinnear, late of Company L, Fifteenth Regiment New York Volunteer Engineers, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Caroline Voit, widow of Julius Voit, late of Company A, Nineteenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of India V. Krch, widow of Francis A. Krch, late of Company B, First Battalion Thirteenth United States Infantry, and pay her a pension at the rate of \$30 per month.

The name of Augusta Freeman, helpless child of Thomas B. Freeman, late of Company K, Twenty-ninth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Sarah Catherine Campbell, widow of James S. Campbell, late of Company D, Eighteenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$30 per month.



The name of Margaret A. Looney, widow of William Looney, late of Troop C, Fifteenth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Anna Kath, widow of Christian D. Kath, late of Company C, Fourth Regiment United States Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Ann Lee, widow of Crawford Lee, late of Company I, Sixty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Susan T. Clark, widow of Robert H. Clark, late of Battery B, First Regiment Connecticut Volunteer Heavy Artillery, and pay her a pension at the rate of \$30 per month.

The name of Candalaria S. de Chavez, widow of Blas Chavez, late of Troop D, First Regiment New Mexico Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Elizabeth Williams, widow of Oliver J. Williams, late of Troop B, Fourth Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Mary A. Guptill, widow of Albert Guptill, late of Company B, Fourth Regiment Minnesota Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Bridget Hagerty, widow of John Hagerty, late of Troop C, Ninth Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Salina E. Miller, widow of Charles C. Miller, late of Troop A, Ninth Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Alta Kimble, helpless child of Francis Kimble, late of Company K, Forty-fifth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Clementine Ferris, widow of Simeon L. A. Ferris, late of Troop L, Third Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary J. Sweeney, widow of Robert E. Sweeney, late of Company D, Fourth Regiment Tennessee Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Elenor Eustis, widow of Lyman S. Eustis, late of Company A, Sixty-fourth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Nancy E. Kerrihard, widow of Henry C. Kerrihard, late of Company D, Thirteenth Regiment United States Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Julia C. Benner, widow of Daniel Benner, late of Company G, One hundred and thirty-fifth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Mary E. Watson, former widow of John Wanless, late lieutenant colonel Fifth Regiment United States Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Nettie Jerome, widow of John Jerome, late of Company B, Tenth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Ellen R. Copeland, widow of Exum Copeland, late of Company D, Thirty-sixth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Mary Farrow, widow of Robert T. Farrow, late of Company K, Eighty-first Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Elizabeth M. Clark, widow of Henry Clark, late of Company K, Twenty-fifth Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Libbie Seals, widow of Isaac M. Seals, late of Company A, Ninth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Mary E. Davis, widow of James Davis, late of Company H, Fifth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Nancy C. Kays, widow of John Kays, late of Company I, Nineteenth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Samuel E. Brown, helpless child of Samuel E. Brown, late of Company K, Thirty-eighth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The name of Nancy J. Hash, widow of Hugh Hash, late of Company C, Ninety-seventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Louisa Livingston, widow of Samuel Livingston, late of Company C, Forty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Elizabeth Reed, widow of John W. Reed, late of Nineteenth Battery Indiana Volunteer Light Artillery, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Rose M. Schaeffer, widow of Edward M. Schaeffer, late hospital steward, United States Army, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Susie M. Gilbert, widow of Franklin T. Gilbert, late lieutenant colonel Fifteenth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Catherine A. Tipson, former widow of Marcus M. Holmes, late of Company H, Fourteenth Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Louise M. Barlow, former widow of Nathaniel A. Tuttle, late of Company I, Eighteenth Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mariam Hill, widow of William Hill, late of Company H, Fiftieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Emily M. Ryan, widow of Torrence E. Ryan, late of Company B, One hundred and forty-first Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Rebecca Jane Day, widow of Peter A. Day, late of Company G, Twelfth Regiment Kansas Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Margaret Hunt, former widow of James Crowley, late of Twenty-first Company unattached Massachusetts Militia Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Hellanah Jane Fellows, widow of Peter Fellows, late of Company B, Eighth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Henrietta Steele, widow of Jonathan M. Steele, late of Company I, Fortieth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Adolla Bottsford, widow of John Bottsford, late of Troop G, Seventeenth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Levenia E. Irwin, widow of William M. Irwin, late of Company H, Second Independent Battalion Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary H. Rodgers, widow of James Rodgers, late of Company C, One hundred and fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Margaret Cole, widow of Bennett Cole, late of Battery M, Fifteenth Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Robert Page, helpless child of Reuben Page, late of Company H, Fourth Regiment Provisional Missouri Militia, and pay him a pension at the rate of \$20 per month.

The name of Mildred A. Clough, widow of Charles F. Clough, late of Company E, Fourth Regiment Rhode Island Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Amy E. Edwards, widow of George W. Edwards, late of Company A, Second Regiment Minnesota Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Maria L. Wood, widow of Francis Marion Wood, late of Company B, One hundred and thirty-fifth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Madora C. Brooks, widow of Benjamin J. Brooks, late of Company K, Twenty-sixth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Mary E. Watson, widow of David M. Watson, late of Company F, One hundred and forty-second Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Sarah L. Wilkinson, widow of Alfred G. Wilkinson, late of Company K, Fourth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Lizzie A. Foote, widow of George F. Foote, late of Company E, Forty-eighth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary Bradley, widow of Jacob P. Bradley, late of Company F, Seventy-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Martha A. Odell, widow of Leonard Odell, late of Company G, Fifth Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.



The name of George Ann Yankee, widow of David Yankee, late of Troop F, Sixth Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

ELEANORA EMMA BLISS

The Senate proceeded to consider the bill (S. 4910) granting a pension to Eleanor Emma Bliss, which had been reported from the Committee on Pensions with an amendment in line 8, after the words "rate of" to strike out "\$5,000 per year" and insert "\$75 per month," so as to make the bill read:

*Be it enacted, etc.,* That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eleanor Emma Bliss, widow of Tasker H. Bliss, late general, United States Army, and pay her a pension at the rate of \$75 per month in lieu of all other payments and allowances.

Mr. WALSH of Massachusetts. I should like to inquire how the amount provided in this bill was arrived at. I note the original bill introduced by the Senator from Pennsylvania called for a pension of \$5,000 a year and that the Committee on Pensions has reported an amendment providing \$75 per month.

Mr. REED. I was about to move to amend the committee amendment.

Mr. WALSH of Massachusetts. I should like to know upon what precedent or precedents was this sum arrived at. I am told it is a very worthy and deserving case.

Mr. REED. Mr. President, General Bliss was one of the three officers who held the rank of general during the course of the World War. The other two were General Pershing and General March. General Bliss was Chief of Staff from September 23, 1917, to May 19, 1918. He had a long and extremely distinguished career in the Army. He was known, I believe, to almost all of us in the Senate, and I think he was admired by us all.

The amount was fixed at \$5,000 in the original bill because a pension in that amount has been given to Mrs. Wood, the widow of Gen. Leonard Wood, who had not attained the same rank and had not carried the same responsibilities as had General Bliss. Of course, these matters are largely discretionary, but it seems to me that to offer Mrs. Bliss a pension of \$75 a month, as is proposed by the committee amendment, is almost shocking. I might add—

Mr. WALSH of Massachusetts. Are Mrs. Bliss's financial resources extremely limited?

Mr. REED. I was about to say to the Senator that her husband's estate was very small. She was left the relatively small house in which they lived here in Washington, but that is very heavily encumbered. The balance of the estate of General Bliss amounts to pretty nearly nothing, and the pension is urgently needed to enable Mrs. Bliss to continue to live in ordinary simple dignity.

Mr. NORBECK. Mr. President, I know the Senator wants to be absolutely accurate, and I suggest to him that he read the last portion of the report before he confirms that statement.

Mr. REED. I think the report bears out what I said. I quote from it as follows:

Claimant's estate—

That is Mrs. Bliss's estate—

consists of \$26,000 in bonds—

Assume that they bear 5 per cent, and she will have an income from that source of \$1,300 a year—

\$5,000 insurance—

That would give her \$250 a year more—

\$1,900 in cash, home place in Pennsylvania and in Washington, the value of which is not shown; the home place in Washington being heavily encumbered.

We have given pensions, as I say, to Mrs. Wood at \$5,000 a year; to Mrs. Woodrow Wilson at \$5,000—I should like

to have seen it more, but Mrs. Wilson was not in the same stress of need; to Mrs. Sheridan, \$2,500—it ought to have been more; to Mrs. Roosevelt, who I am told was not in need, \$5,000; to Mrs. Marshall, the widow of the Vice President whom we all knew and loved, \$3,000. Congress has been fairly generous with the widows of those distinguished men. Therefore, I feel that I am moderate in my request when I move to amend the committee amendment to read \$3,600 per year.

Mr. WALSH of Montana. Mr. President, may I interrupt to say that I think the Senate will reject the amendment proposed by the Pensions Committee. I think the sum asked, considering that the lady is 77 years of age, is a very moderate recognition of the invaluable services rendered by this great soldier.

Mr. REED. Yes; she will not draw it for long. I will accept the Senator's suggestion.

Mr. WALSH of Montana. I trust the Senator will withhold his amendment, and let us vote on the amendment proposed by the committee.

Mr. FLETCHER. I think so myself, Mr. President. I was going to suggest to the Senator, let us vote on the question of agreeing or disagreeing to the committee amendment.

Mr. REED. I thank the Senator from Montana and the Senator from Florida.

Mr. SHORTRIDGE. Mr. President, I wish to have the honor and the pleasure of asking that the committee amendment be rejected. I wish to go on record.

Mr. NORBECK. Mr. President, I have no fixed opinion as to what this pension should be. The Senate committee recommended what the pension expert felt we had been doing in other similar cases, taking into consideration the property, age, service, and so on.

I know that Mrs. Marshall got some \$2,500 or \$3,000 a year; but that case involved the element of poverty. The widow of this distinguished general has more property than she can make any use of during her life. They are not parallel cases.

I want to say to the Senate that if you want to be liberal in these cases, the Pensions Committee will have to follow your suggestion and do the same thing in other matters. It is just the beginning of a new policy if we are going to vote \$5,000 pension in cases of this kind.

Mr. HEFLIN. Mr. President, I am a member of the Pensions Committee, and I am going to vote for the amendment of the Senator from Pennsylvania. The widow of this distinguished American general is about 77 or 78 years old now. Her property is heavily encumbered. Times are hard—

Mr. NORBECK. Mr. President, the Senator did not listen to the report. The lady has two properties, one home in Washington and one in Pennsylvania. One of them is encumbered.

Mr. HEFLIN. Well, times are hard now, and people can not pay rent. Because of her advanced age and the fact that her property is encumbered, I think the Senate would acquit itself well if it granted the request of the Senator from Pennsylvania.

Mr. ASHURST. Mr. President, I wish to recur to an observation made by the Senator from South Dakota, the chairman of the Committee on Pensions [Mr. NORBECK], in which he stated that we would be adopting a new rule. I beg leave to suggest to the able Senator that so far from establishing a new policy we should adhere to the rule we have heretofore set up. We have granted much larger pensions to the widows of other distinguished men, as indicated by the speech of the Senator from Pennsylvania, and now to offer Mrs. Bliss this relatively small sum would, in my judgment, be a reproach rather than an honor; and I favor rejecting the amendment.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the committee.

The amendment was rejected.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.



## HELEN K. SNOWDEN

The Senate proceeded to consider the bill (S. 4328) granting an increase of pension to Helen K. Snowden, which had been reported from the Committee on Pensions with an amendment on page 1, line 9, after the words "sum of," to strike out "\$75" and insert "\$100," so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Helen K. Snowden, widow of Admiral Thomas Snowden, late division and squadron commander of the Atlantic Fleet during the Great War and until February, 1919, and pay her a pension at the rate of \$100 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## LOIS CRAMTON

The bill (H. R. 12023) to repeal the provision of law granting a pension to Lois Cramton was considered, read the third time, and passed, as follows:

*Be it enacted, etc.,* That so much of the act entitled "An act granting pensions and increase of pensions to certain soldiers, sailors, and marines of the Civil War and certain widows and dependent children of soldiers, sailors, and marines of said war," approved February 13, 1929, as reads "The name of Lois Cramton, widow of Alonzo Cramton, late of Company I, Eighth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of \$30 per month," is hereby repealed.

## CLOSING OF STREETS, ETC., IN THE DISTRICT

The Senate proceeded to consider the bill (S. 5655) to authorize the Commissioners of the District of Columbia to close streets, roads, highways, or alleys in the District of Columbia rendered useless or unnecessary, and for other purposes, which had been reported from the Committee on the District of Columbia with an amendment, on page 3, line 11, after the word "closing," to insert "The said commissioners shall, not later than 14 days in advance of such hearing, serve notice of such hearing, in writing, by registered mail, on each owner of property abutting the street, road, highway, or alley, or part thereof, proposed to be closed, or if the owner can not be located the advertisement provided for above shall be deemed sufficient legal notice," so as to make the bill read:

*Be it enacted, etc.,* That the Commissioners of the District of Columbia be, and they are hereby, authorized to close any street, road, highway, or alley, or any part of any street, road, highway, or alley, in the District of Columbia when, in the judgment of said commissioners, such street, road, highway, or alley, or such part of a street, road, highway, or alley has been rendered useless or unnecessary, the title to the land embraced within the public space so closed to revert to the owners of the abutting property: *Provided*, That if the title to such land be in the United States the property shall not revert to the owners of the abutting property but may be sold as provided in section 1608-a of the Code of Law for the District of Columbia, unless the use of such land is requested by some other department, bureau, or commission of the Government of the United States for purposes not otherwise inconsistent with the proper development of the District of Columbia: *Provided further*, That the said closing by said commissioners is made expedient or advisable by reason of change in the highway plan or by reason of provision for access to the abutting property and the convenience of the public by other street, road, highway, or alley facilities, or by reason of the acquisition by the District of Columbia or by the United States of America, for school, park, playground, or other public purposes, of all the property abutting on the street, road, highway, or alley, or part of a street, road, highway, or alley, proposed to be closed, or for other public reasons: *And provided further*, That the said closing of a street, road, highway, or alley, or a part thereof, shall have the approval of the National Capital Park and Planning Commission.

Sec. 2. That whenever a street, road, highway, or alley, or part of a street, road, highway, or alley, is proposed to be closed under the provisions of this act, the Commissioners of the District of Columbia shall cause public notice of intention to be given by advertisement for not less than 14 consecutive days, exclusive of Sundays and holidays, in a daily newspaper of general circulation printed and published in the District of Columbia, to the effect that a public hearing will be held at a time and place stated in the notice for the hearing of objections, if any, to such closing. The said commissioners shall, not later than 14 days in advance of such hearing, serve notice of such hearing, in writing, by registered mail, on each owner of property abutting the street, road, highway, or alley, or part thereof, proposed to be closed, or if the owner can not be located the advertisement provided for above shall be deemed sufficient legal notice. At such hearing a map

showing the proposed closing shall be exhibited, and the property owners or their representatives, and any other persons interested, shall be given an opportunity to be heard.

Sec. 3. After such public hearing the said commissioners, if they are satisfied that the proposed closing will be in the public interest, and that such closing will not be detrimental to the rights of the owners of the property abutting on the street, road, highway, or alley, or part of a street, road, highway, or alley, proposed to be closed, nor cause unreasonable inconvenience to or adverse effect upon the owner or owners of any property abutting on streets connected therewith, nor unreasonably infringe the rights of the public to use such street, road, highway, or alley, shall cause to be prepared a plat or plats showing the street, road, highway, or alley, or part thereof, proposed to be closed and the area to be apportioned to each owner of property abutting thereon: *Provided*, That if the approval of the proposed closing by the said commissioners shall be conditioned upon the dedication of any other areas for street, highway, or alley purposes, and/or the retention by the District of Columbia of specified rights of way for any public purpose, and/or any other reservations deemed expedient or advisable by said commissioners, such plat or plats shall also show the parcels of land so dedicated, and/or the reserved rights of way, and/or by certificate thereon any such reservations deemed expedient or advisable by the said Commissioners of the District of Columbia.

Sec. 4. If, after such hearing, the commissioners are of the opinion that any street, road, highway, or alley, or part thereof, should be closed, they shall prepare an order closing the same and shall cause public notice of such order to be given by advertisement for 14 consecutive days, exclusive of Sundays and legal holidays, in at least two daily newspapers of general circulation printed and published in the District of Columbia, and shall serve a copy of such order on each property owner abutting the street, road, highway, or alley, or part thereof, proposed to be closed by such order, and such notice shall be served on the owner in person, or by leaving a copy at the residence of such owner, or if the owner can not be located the advertisement provided for above shall be deemed sufficient legal notice; or if he be a nonresident of the District of Columbia, by sending a copy thereof by registered mail to his last known place of address: *Provided*, That if no objection in writing be made to the commissioners by any party interested within 30 days after the service of such notice, then the said order shall immediately become effective; and the said order and plat or plats as provided for herein shall be ordered by the Commissioners of the District of Columbia recorded in the office of the surveyor of the District of Columbia.

Sec. 5. When any such objection shall be filed with the commissioners as provided in the foregoing section, then the Commissioners of the District of Columbia shall institute a proceeding in rem in the Supreme Court of the District of Columbia looking to the closing of such street, road, highway, or alley, or part thereof, and its abandonment for street, highway, or alley purposes, and to the ascertainment of damages and the assessment of benefits resulting from such closing and abandonment. Such proceeding shall be conducted in like manner as proceedings for the condemnation of land for streets, under the provisions of chapter 15, subchapter 1, of the Code of Law for the District of Columbia, and such closing and abandonment shall be effective when the damages and benefits shall have been so ascertained and the verdict confirmed.

Sec. 6. Any damages awarded in any proceedings under section 5 of this act, together with the costs of the proceedings, shall be payable from the indefinite annual appropriation for opening, extending, straightening, or widening of any street, avenue, road, or highway in accordance with the plan of the permanent system of highways of the District of Columbia. Any benefits assessed against private property in any such proceedings shall be a lien upon such property and shall be collected in like manner as provided in section 491-j of the Code of Law for the District of Columbia.

Sec. 7. In any proceedings under section 5 or section 6 of this act it shall be optional with the commissioners either to abide by the verdict and proceed with the proposed closing, or within a reasonable time to be fixed by the court in its order confirming the verdict, to abandon the proposed closing without being liable for damages therefor.

Sec. 8. Nothing in this act shall be construed to repeal the provisions of any existing law authorizing the Commissioners of the District of Columbia to close streets, roads, highways, or alleys, not inconsistent with the provisions of this act, but all such laws shall remain in full force and effect; and in any case to which more than one of these laws is applicable, the Commissioners of the District of Columbia may elect the one under which they will proceed.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## CHACO CANYON NATIONAL MONUMENT, N. MEX.

The Senate proceeded to consider the bill (H. R. 10576) to authorize exchange of lands with owners of private-land holdings within the Chaco Canyon National Monument, N. Mex., and for other purposes, which had been reported from the Committee on Public Lands and Surveys with an



amendment, on page 3, line 20, after the word "Research," to strike out "and" and insert "the," so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior, for the purpose of eliminating private holdings of land within the Chaco Canyon National Monument, N. Mex., is hereby empowered, in his discretion, to obtain for the United States the complete title to any or all alienated lands within the boundaries of the Chaco Canyon National Monument, N. Mex., as now or as may be hereafter defined, by accepting from the owners of such alienated lands complete relinquishment thereof and by granting and patenting to the owners, in exchange therefor, surveyed, nonmineral, and unreserved public lands of equal quality and acreage or of equal value as may be agreed upon situated elsewhere in the State of New Mexico, after due notice of the proposed exchange has been given by publication for not less than 30 days in the counties where the lands proposed to be exchanged or taken in exchange are located: *Provided*, That the Secretary of the Interior shall, on application or otherwise, designate public lands subject to exchange under this act which are, in his opinion, chiefly valuable for grazing and raising forage crops, do not contain merchantable timber, are not susceptible of irrigation from any known source of water supply, are not embraced in a valid claim, and are of quality similar to the alienated lands offered in exchange: *And provided further*, That any owner of patented lands in the monument now owning other lands adjoining said monument, which may be separated by the acquisition of land in the monument by the United States under the provisions hereof, shall be, and is hereby, authorized to drive stock across said monument at an accessible location, which may be approved by the Secretary of the Interior, which right shall also accrue to any successor in interest to said adjoining lands, or to any lessee of such lands.

SEC. 2. That the value of all patented lands within said monument offered for exchange, and the value of the lands of the United States to be given in exchange therefor, shall be ascertained in such manner as the Secretary of the Interior may direct; and the owners of such alienated lands within said monument shall, before any exchange is effective, furnish the Secretary of the Interior evidence satisfactory to him of title to the patented lands offered in exchange; and lands conveyed to the United States under this act shall be and remain a part of the Chaco Canyon National Monument.

SEC. 3. That in the acquisition on behalf of the United States under authority of law of any of the following-described land, to wit: Section 13, in township 21 north, range 11 west; section 17, in township 21 north, range 10 west; section 21, in township 21 north, range 10 west; section 3, in township 21 north, range 11 west; and section 11, in township 21 north, range 11 west, owned by the University of New Mexico, the Museum of New Mexico, and/or the School of American Research, the said Secretary may accept title thereto subject to such reservations by the grantor or grantors as will enable the said University of New Mexico, the Museum of New Mexico, and/or the School of American Research to continue scientific research thereon: *Provided*, That such use shall not interfere with the administration of said area for national-monument purposes: *And provided further*, That upon relinquishment to the United States of any of the rights reserved by any grantor pursuant hereto the Secretary of the Interior may, in his discretion, grant the right to said University of New Mexico, the Museum of New Mexico, and/or the School of American Research similar rights with reference to other ruins and locations within said monument in lieu thereof.

The amendment was agreed to.

Mr. KING. Mr. President, I should like to ask the Senator from New Mexico whether this bill takes from the Indians any of the lands which they now own, or whether, if there is an exchange, it is to be a fair exchange, acre for acre; or, if the land which they receive is superior in quality, whether they will receive at least an equal amount in value?

Mr. BRATTON. Mr. President, the lands involved here are in a national monument. The Indians have no interest in them. About half of the lands within the exterior boundaries of the monument are in private ownership. This bill merely authorizes the exchange of lands on the public domain of equal value for the privately owned lands within the national monument in order that the Park Service may administer the monument and preserve it for archaeological purposes. That is the purport of the bill. It does not concern the Indians in any respect.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

#### BILL PASSED OVER

The bill (S. 2977) for the refund of estate tax erroneously collected was announced as next in order.

SEVERAL SENATORS. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

#### LANDS IN MINIDOKA COUNTY, IDAHO

The bill (H. R. 9987) to provide for the relinquishment by the United States of certain lands to the city of Rupert in the county of Minidoka, in the State of Idaho, was considered, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior is hereby authorized to quitclaim to the city of Rupert in the county of Minidoka, in the State of Idaho, all of the right, title, and interest of the United States in or to that certain tract of land in the Government town site of Rupert on the Minidoka reclamation project, more precisely bounded and described as follows: Beginning at the northeast corner section 29, township 9 south, range 24 east, Boise meridian; thence south 6 minutes west 21.1 feet along the section line; thence south 45 degrees 22 minutes west along the Oregon Short Line Railroad right of way 3,730.8 feet to a point on the east and west center line of said section 29; thence south 89 degrees 56 minutes west along said center line 114 feet; thence north 45 degrees 22 minutes east 3,891.3 feet to a point on the section line between sections 20 and 21; thence south 6 minutes west along said section line 91.5 feet to the point of beginning, as shown on the official plat of the town site of Rupert, Idaho, said tract of land containing 7 acres more or less.

#### HOT SPRINGS NATIONAL PARK, ARK.

The bill (H. R. 13249) to authorize the acceptance of a tract of land adjoining Hot Springs National Park, Ark., and for other purposes, was considered, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized, in his discretion and upon submission of evidence of title satisfactory to him, to accept on behalf of the United States of America that certain tract of land adjoining the Hot Springs National Park, Ark., described as being a part of the north half southwest quarter section 27, township 2 south, range 19 west, west of the ninety-third meridian, in Garland County, Ark., and which has been tendered to the United States of America as a donation and as an addition to the said Hot Springs National Park: *Provided*, That such land when accepted by the Secretary of the Interior shall be and remain a part of the Hot Springs National Park.

#### SAN BERNARDINO AND CLEVELAND NATIONAL FORESTS

The bill (H. R. 13547) to safeguard the validity of permits to use recreational areas in the San Bernardino and Cleveland National Forests was considered, read the third time, and passed, as follows:

*Be it enacted, etc.,* That where a special-use permit to use, for other than pasture purposes, a tract of land not exceeding 160 acres in area, in the San Bernardino and Cleveland National Forests, has been issued under the regulations of the Secretary of Agriculture, the land so rented shall not be subject to appropriation, entry, alienation, or adverse use or occupancy unless such permit is discontinued or revoked.

#### HOT SPRINGS NATIONAL PARK

The bill (H. R. 15867) to provide for the retention by the United States of a site within the Hot Springs National Park formerly occupied by the Arlington Hotel and Bathhouse, for park and landscape purposes was considered, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the site within the Hot Springs National Park fronting on Central Avenue and on Fountain Street, leased by the Secretary of the Interior pursuant to the authority of the act of August 24, 1912, to the Arlington Hotel Co., and occupied by the hotel and bathhouse building of said company until it burned on April 5, 1923, shall upon the expiration on March 6, 1932, of the existing lease therefor with the said Arlington Hotel Co., be kept, retained, and maintained by the United States for park and landscaping purposes; and no new lease shall be granted by the Secretary of the Interior for the erection of another hotel, bathhouse, or other structure thereon.

#### MESA VERDE NATIONAL PARK, COLO.

The bill (H. R. 15876) to provide for the addition of certain lands to the Mesa Verde National Park, Colo., and for other purposes, was considered, read the third time, and passed, as follows:

*Be it enacted, etc.,* That for the purpose of protecting the scenery along the Point Lookout Road between the north boundary of the Mesa Verde National Park and this road's juncture with the Cortez-Mancos Road, the President of the United States is hereby authorized, upon the recommendation of the Secretary of the Interior, to add to the said Mesa Verde National Park, Colo., by executive proclamation, a strip of land 260 feet wide along and including said Point Lookout Road, and the triangle formed by the fork in said road and such other public land along or adjacent to said road and right of way and lands as may be acquired by gift or by exchanges as hereinafter provided, which lands shall



thereupon become and be a part of said park subject to all laws and regulations applicable thereto.

Sec. 2. That for the purpose of carrying out the provisions of this act the Secretary of the Interior is hereby authorized to accept donations of land or right of way, or to acquire title to any land along or adjacent to the said Point Lookout Road as may be deemed desirable by him for the protection of said road, by exchange for any unappropriated public lands within sections 29 and 32, township 36 west, range 14 west, New Mexico principal meridian of equal value; the value of the lands offered for exchange hereunder and the value of the lands of the United States to be selected therefor shall be ascertained in such manner as the Secretary of the Interior may direct; and the owners of lands offered to the United States pursuant hereto shall, before the exchange is effective, furnish the Secretary of the Interior evidence satisfactory to him of title to the lands offered in exchange.

#### WASHAKIE NATIONAL FOREST, WYO.

The Senate proceeded to consider the bill (S. 5588) to add certain public lands to the Washakie National Forest, Wyo., which had been reported from the Committee on Public Lands and Surveys with amendments, on page 1, line 9, after the word "quarter" where it first occurs, to insert "north half"; in the same line, after the word "quarter" where it occurs the second time, to strike out "of section 13, township quarter of"; in line 10, after the words just proposed to be stricken out, to insert "and"; in line 10, after the words "quarter of" where they occur the second time, to insert "the southeast quarter of," so as to make the bill read:

*Be it enacted, etc.,* That the following-described public lands be, and the same are hereby, added to and made a part of the Washakie National Forest, Wyo., and are to be hereafter administered under the laws and regulations relating to national forests:

Northeast quarter, southeast quarter of the northwest quarter, north half of the southeast quarter and the southeast quarter of the southeast quarter of section 13, township 43 north, range 108 west, sixth principal meridian; all of section 19, all of section 27, north half of section 28, north half, north half of the southwest quarter of section 29, northeast quarter of section 30, west half of the northeast quarter, northwest quarter, southwest quarter, west half of the southeast quarter, southeast quarter of the southeast quarter of section 35, township 43 north, range 107 west, sixth principal meridian: *Provided*, That the inclusion of any of the aforesaid land in the Washakie National Forest shall not affect adversely any valid application or entry pending at the date of the approval of this act.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

#### BILL PASSED OVER

The bill (H. R. 15877) to authorize exchanges of land with owners of private-land holdings within the Craters of the Moon National Monument was announced as next in order.

SEVERAL SENATORS. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

#### COLUMBIA CASUALTY CO.

The bill (S. 1876) for the relief of the Columbia Casualty Co. was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem United States Treasury certificate of indebtedness, No. 14559, in the denomination of \$10,000, Series T. M. 1924, dated March 15, 1923, and maturing March 15, 1924, with interest at the rate of 4½ per cent per annum from March 15, 1923, to March 15, 1924, in favor of the Columbia Casualty Co., of New York, N. Y., or its assigns, without presentation of the said certificate, the certificate of indebtedness having been lost, stolen, or destroyed: *Provided*, That the said certificate of indebtedness shall not have been previously presented for payment, and that no payment shall be made hereunder for any coupons which shall have been previously presented and paid: *And provided further*, That the said Columbia Casualty Co., of New York, N. Y., shall first file in the Treasury Department a bond in the penal sum of double the amount of the lost, stolen, or destroyed Treasury certificate of indebtedness and the interest payable thereon, in such form and with such surety or sureties as may be acceptable to the Secretary of the Treasury, to indemnify and save harmless the United States from any loss on account of the lost, stolen, or destroyed certificate of indebtedness herein described.

#### AMENDMENT OF ACT OF MAY 23, 1930

The bill (S. 5557) to amend the act of May 23, 1930 (46 Stat. 378) was considered by the Senate, and was read, as follows:

*Be it enacted, etc.,* That section 1 of the act of May 23, 1930 (46 Stat. 378), entitled "an act to eliminate certain lands from the Tusayan National Forest, Ariz., as an addition to the Western Navajo Indian Reservation," be, and the same is hereby, amended so as to include the following-described lands subject to all the conditions and provisions of said act: Sections 10 to 15, inclusive, sections 22 to 27, inclusive, sections 34 to 36, inclusive, township 27 north, range 6 east, all of township 27 north, range 7 east; sections 4 to 9, 16 to 21, 29 to 32, all inclusive, in township 27 north, range 8 east; sections 1 and 2, the east half of section 3, the east half of section 10, sections 11 and 12, township 26 north, range 7 east; sections 5 to 8, inclusive, township 26 north, range 8 east, Gila and Salt River meridian, Arizona.

Sec. 2. That for the purpose of arriving at the values and areas of lieu lands to which private landowners are entitled, under the act of May 23, 1930, as hereby amended, the value of the improvements on all privately owned lands to be conveyed or relinquished to the United States for the benefit of the Indians shall be taken into consideration and full credit in the form of lands shall be allowed therefor: *Provided*, That the State of Arizona may relinquish such lands as it sees fit, acquired pursuant to the enabling act of June 20, 1910 (36 Stat. L. 557), which may be desired as lieu land, and the State shall have the right to select other unreserved and undisposed of nonmineral public lands within the State of Arizona equal in area to that relinquished, the lieu selections to be made by the State in the same manner as is provided for in said enabling act.

Mr. KING. Mr. President, I wish to inquire of the Senator from Arizona if this bill has to do with an Indian reservation.

Mr. HAYDEN. Mr. President, the bill adds about 22,000 acres to the Navajo Indian Reservation by exchange of lands within a checkerboard of alternate sections owned by private parties and used for sheep grazing. The private parties have complained bitterly that the Indians occupying the other sections of the checkerboard have so utilized their land that they can obtain no revenue from it. This bill authorizes a surrender of these private lands to become a part of the Navajo Indian Reservation, and permits the private landowners to select about 22,000 acres of land elsewhere in the State of Arizona under regulations made by the Secretary of the Interior.

Mr. KING. Of the same quality?

Mr. HAYDEN. Of the same value. The values to be exchanged are identical.

Mr. KING. Are these lands owned by the Santa Fe Railroad?

Mr. HAYDEN. No; the lands mentioned in the bill were originally granted to the Atlantic & Pacific Railroad Co., but are owned at the present time by Campbell, Francis & Co., of Flagstaff, Ariz.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### CANYON DE CHELLY NATIONAL MONUMENT

The bill (S. 5586) to authorize the President of the United States to establish the Canyon de Chelly National Monument within the Navajo Indian Reservation, Ariz., was announced as next in order.

Mr. HAYDEN. Mr. President, an identical bill, H. R. 15987, has passed the House. I ask that the Committee on Indian Affairs be discharged from the consideration of that bill, and that it be substituted for the Senate bill and passed.

The PRESIDENT pro tempore. Without objection, that order will be entered.

The Senate proceeded to consider the bill (H. R. 15987) to authorize the President of the United States to establish the Canyon de Chelly National Monument within the Navajo Indian Reservation, Ariz., which was considered, read the third time, and passed, as follows:

*Be it enacted, etc.,* That with the consent of the tribal council of the Navajo Tribe of Indians the President of the United States is hereby authorized to establish by presidential proclamation the Canyon de Chelly National Monument, within the Navajo Indian Reservation, Ariz., including the lands hereinafter described.

Township 4 north, range 7 west, north half section 5, and northeast quarter section 6; township 5 north, range 7 west, south half section 15, section 19, south half section 20, section 21, section 22, south half section 23, north half section 26, north half section 27, north half section 28, sections 29, 30, 31, and 32; township 3 north, range 8 west, section 4, east half section 5; township 4 north, range 8 west, sections 6 and 7, southwest quarter section 17, sections 18 and 19, west half and southeast quarter section 20, sections 29 and 30, north half section 31, sections 32 and 33; township 5 north, range 8 west, section 7,



section 13, south half section 14, south half section 15, south half and northwest quarter section 16, sections 17 to 24, inclusive, north half section 25, north half section 26, section 27, north half and southeast quarter section 28, north half section 29, north half section 30 and southwest quarter section 31; township 6 north, range 8 west, north half section 3, sections 4 to 8, inclusive, west half section 18 and northwest quarter section 19; township 7 north, range 8 west, south half section 33, section 34 and west half section 35; township 4 north, range 9 west, sections 1 to 3, inclusive, east half section 4, north half section 10, north half section 11, sections 12 and 13, east half section 24 and east half section 25; township 5 north, range 9 west, sections 4 to 31, inclusive, east half section 33, and sections 34 to 36, inclusive; township 6 north, range 9 west, sections 1 to 3, inclusive, sections 10 to 15, inclusive, sections 21 to 23, inclusive, sections 10 to 15, inclusive, sections 21 to 23, inclusive, north half section 24; north half section 26, sections 27 to 29, inclusive, southeast quarter section 30, and sections 31 to 34, inclusive; township 5 north, range 10 west, sections 1 to 18, inclusive, north half section 22, sections 23 to 25, inclusive, north half section 26, and north half section 36; township 6 north, range 10 west, east half section 34, section 35, and south half section 36, embracing about 83,840 acres of unsurveyed land, all west of the Navajo meridian, in Arizona.

Sec. 2. That nothing herein shall be construed as in any way impairing the right, title, and interest of the Navajo Tribe of Indians which they now have and hold to all lands and minerals, including oil and gas, and the surface use of such lands for agricultural, grazing, and other purposes, except as hereinafter defined; and the said tribe of Indians shall be, and is hereby, granted the preferential right, under regulations to be prescribed by the Secretary of the Interior, of furnishing riding animals for the use of visitors to the monument.

Sec. 3. That the National Park Service, under the direction of the Secretary of the Interior, is hereby charged with the administration of the area of said national monument, so far as it applies to the care, maintenance, preservation, and restoration of the prehistoric ruins, or other features of scientific or historical interest within the area, and shall have the right to construct upon the lands such roads, trails, or other structures or improvements as may be necessary in connection with the administration and protection of the monument, and also the right to provide facilities of any nature whatsoever required for the care and accommodation of visitors to the monument.

The PRESIDENT pro tempore. Without objection, Senate bill 5586 will be indefinitely postponed.

#### SALE OF CHIPPEWA INDIAN LAND TO STATE OF MINNESOTA

The bill (S. 5522) providing for sale of Chippewa Indian land to the State of Minnesota was announced as next in order.

Mr. FRAZIER. Mr. President, I move that Order of Business 1462, House bill 15590, be substituted for the Senate bill.

The PRESIDENT pro tempore. Without objection, that order will be made.

The bill (H. R. 15590) providing for the sale of Chippewa Indian land to the State of Minnesota was considered, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior is hereby authorized and directed to convey to the State of Minnesota the northeast quarter of the southeast quarter of section 35, township 143 north, range 37 west, fifth principal meridian, in the State of Minnesota, situated in the ceded portion of the White Earth Indian Reservation, upon the payment by the State of Minnesota of the sum of \$185, being the price of the land and the timber, as provided by the acts of January 14, 1889 (25 Stat. L. 642), and June 25, 1910 (36 Stat. L. 862).

The PRESIDENT pro tempore. Without objection, Senate bill 5522 will be indefinitely postponed.

#### PER CAPITA PAYMENT TO CHIPPEWA INDIANS

The bill (S. 4830) providing for payment of \$100 to each enrolled Chippewa Indian of Minnesota from the funds standing to their credit in the Treasury of the United States was announced as next in order.

Mr. FRAZIER. Mr. President, I move that Order of Business 1450, House bill 13528, be substituted for this bill.

The PRESIDENT pro tempore. Without objection, that order will be entered.

The bill (H. R. 13528) providing for payment of \$25 to each enrolled Chippewa Indian of Minnesota from the funds standing to their credit in the Treasury of the United States was considered, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior is authorized and directed to withdraw from the Treasury so much as may be necessary of the principal fund on deposit to the credit of the Chippewa Indians in the State of Minnesota, under section 7 of the act entitled "An act for the relief and civilization of the

Chippewa Indians in the State of Minnesota," approved January 14, 1889, as amended, and to make therefrom payment of \$25 to each enrolled Chippewa Indian of Minnesota, under such regulations as such Secretary shall prescribe. No payment shall be made under this act until the Chippewa Indians of Minnesota shall, in such manner as such secretary shall prescribe, have accepted such payments and ratified the provisions of this act. The money paid to the Indians under this act shall not be subject to any lien or claim of whatever nature against any of said Indians.

The PRESIDENT pro tempore. Without objection, Senate bill 4830 will be indefinitely postponed.

#### WILLIAM S. LEWIS

The Senate proceeded to consider the bill (S. 5120) to reimburse William S. Lewis for his traveling expenses as counsel for the Spokane Indians, which had been reported from the Committee on Indian Affairs with an amendment, to strike out all after the enacting clause and to insert:

That tribal funds belonging to the Spokane Indians in not to exceed the sum of \$2,000 are hereby made available for the payment of necessary expenses heretofore or hereafter incurred by the attorney or attorneys of record under contract with said Indians, and the accounting officers of the United States are hereby authorized to allow expenditure from such funds when approved by the Secretary of the Interior in not to exceed the aggregate sum herein authorized.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. JONES. Mr. President, the suggested amendment to the title must be an error. The committee propose to amend the bill to read: "A bill for the relief of Harvey K. Meyer, and for other purposes." It should be, "A bill to provide for the payment of attorneys' expenses in connection with Indian litigation," or something of the kind.

The PRESIDENT pro tempore. The amendment to the title will be stated.

The CHIEF CLERK. On page 2, the committee propose to amend the title so as to read: "A bill for the relief of Harvey K. Meyer, and for other purposes."

Mr. JONES. I can not see how that has anything to do with the bill. Harvey K. Meyer is not mentioned; and the title of the bill ought to be amended to read "A bill providing for the payment of attorneys' fees," and so forth.

The PRESIDENT pro tempore. The Chair calls attention of the Senator from North Dakota to the colloquy.

Mr. FRAZIER. Mr. President, that is evidently a mistake, as the Senator from Washington states. The title should be amended to read, substantially, "For the payment of Attorney Lewis for attorneys' fees in connection with this litigation."

Mr. JONES. Attorney Lewis should not be mentioned in the bill or in the title, according to the suggested amendment of the committee. The committee strikes out all after the enacting clause and makes a general provision for the payment of attorneys' fees.

Mr. CARAWAY. Mr. President, may I ask the Senator a question? How do we know, then, that Mr. Lewis is going to get the money? It seems to be intended to pay Lewis, who has paid out of his own pocket this money.

Mr. JONES. He can make his claim to the Indian Office, according to the terms of the bill. I should say that the title should be "A bill to provide for the payment of attorneys' fees in Indian cases."

Mr. WALSH of Montana. Mr. President, let me suggest to the Senator from Washington that, instead of saying "William S. Lewis," all it is necessary to do is to insert "the attorney or attorneys of record."

Mr. JONES. That is right, "To reimburse the attorneys of record in Indian cases."

The PRESIDENT pro tempore. Is the form of words now satisfactory to the friends of the bill?

Mr. JONES. Yes; I think so.

The PRESIDENT pro tempore. Without objection, the title will be amended as suggested.

Mr. FLETCHER. Mr. President, the measure relates to the Spokane Indians.

Mr. JONES. The Senator from Florida is correct, Mr. President, and I move that the title be amended so as to



read, "An act to provide for the payment of traveling expenses of attorneys of record out of the tribal funds of the Spokane Indians."

The amendment to the title was agreed to.

#### LANDS OF FIVE CIVILIZED TRIBES

The bill (S. 5553) to amend section 3 of the act approved May 10, 1928, entitled "An act to extend the period of restriction in lands of certain members of the Five Civilized Tribes, and for other purposes," was announced as next in order.

Mr. THOMAS of Oklahoma. Mr. President, Calendar 1447 is the same as Calendar 1449, and I move that House bill 15772 to amend section 3 of the act approved May 10, 1928, entitled "An act to extend the period of restriction in lands of certain members of the Five Civilized Tribes, and for other purposes," be substituted for Calendar 1447.

The motion was agreed to, and the Senate proceeded to consider the bill, which was read, as follows:

*Be it enacted, etc.,* That section 3 of the Act of May 10, 1928, entitled "An act to extend the period of restriction in lands of certain members of the Five Civilized Tribes, and for other purposes," be amended to read as follows:

"Sec. 3. That all minerals, including oil and gas, produced on or after April 26, 1931, from restricted allotted lands of members of the Five Civilized Tribes in Oklahoma, or from inherited restricted lands of full-blood Indian heirs or devisees of such lands, shall be subject to all State and Federal taxes of every kind and character the same as those produced from lands owned by other citizens of the State of Oklahoma; and the Secretary of the Interior is hereby authorized and directed to cause to be paid, from the individual Indian funds held under his supervision and control and belonging to the Indian owners of the lands, the tax or taxes so assessed against the royalty interest of the respective Indian owners in such oil, gas, and other mineral production: *Provided*, That nothing in this act shall be construed to impose or provide for double taxation and, in those cases where the machinery or equipment used in producing oil or other minerals on restricted Indian lands are subject to the ad valorem tax of the State of Oklahoma for the fiscal year ending June 30, 1931, the gross production tax which is in lieu thereof shall not be imposed prior to July 1, 1931."

Mr. KING. Mr. President, may I ask the Senator what tax would be imposed upon the Indians under this measure?

Mr. THOMAS of Oklahoma. No tax will be imposed upon the Indians. There are certain lands in Oklahoma leased for oil. So long as the lands are under restrictions the oil company pays a tax upon an ad valorem basis. Unless Congress extends the restrictions some of the lands will become free on the 26th day of April of this year. If this bill is not passed, from the 26th day of April of this year until the 1st of July there will be double taxation upon this class of land—an ad valorem tax and a gross-production tax. This bill has the particular purpose of relieving that possible double taxation. The oil companies will pay until July 1 an ad valorem rate, and after that time they will pay a gross-production tax, under the Oklahoma State law. This only applies to the time between April 26 and July 1 of this year. Its purpose is to prevent double taxation of this class of property.

Mr. KING. Very well.

The bill was ordered to a third reading, read the third time, and passed.

The PRESIDENT pro tempore. Senate bill 5553 will be indefinitely postponed.

#### QUARANTINE INSPECTION SERVICE

The bill (S. 5743) to authorize 24-hour quarantine inspection service in certain ports of the United States, and for other purposes, was announced as next in order.

The bill had been reported from the Committee on Commerce with amendments, on page 3, after section 16, to add a second paragraph, as follows:

The provisions of the act of June 5, 1920 (41 Stat. 875) relating to the schedule of fees and rates of charges to be adopted and promulgated by the Secretary of the Treasury at the New York quarantine station is hereby repealed.

On page 4, after line 5, insert the following new section:

Sec. 3. Whenever steamship companies desiring the benefits of such extended quarantine service at any port shall offer to advance

funds in order to permit the immediate institution of such service at such port, the Secretary of the Treasury may, in his discretion, receive such funds and expend the same for such purpose; and the moneys so contributed shall be repaid by the Secretary, without interest, from any funds appropriated under authority of section 2 of this act.

So as to make the bill read:

A bill to authorize 24-hour quarantine inspection service in certain ports of the United States, and for other purposes

*Be it enacted, etc.,* That the act entitled "An act granting additional quarantine powers and imposing additional duties upon the Marine Hospital Service," approved February 15, 1893, as amended, is further amended by adding at the end thereof the following new sections:

"Sec. 13. The original bills of health required to be obtained in duplicate in foreign ports under the provisions of section 2 of this act shall be presented to the collector of customs in accordance with the provisions of section 5 of this act, and the duplicate copies of such bills of health shall be presented to the quarantine officer at the time quarantine inspection is performed by him.

"Sec. 14. The Secretary of the Treasury shall establish by regulation the hours during which quarantine service shall be performed at each quarantine station, and, upon application by any interested party, may establish quarantine inspection during the 24 hours of the day, or any fraction thereof, at such quarantine stations as, in his judgment, require such extended service; but the Secretary may restrict the performance of quarantine inspection to hours of daylight for such arriving vessels as can not, in his opinion, be satisfactorily inspected during hours of darkness. Nothing herein contained, however, shall be construed to require a vessel upon arriving at the quarantine anchorage to undergo quarantine inspection during the hours of darkness, unless the quarantine officer at such quarantine station shall deem an immediate inspection necessary to protect the public health; nor shall any provision of this act be construed to require uniformity in the regulations governing the hours during which quarantine inspection may be obtained at the various ports of the United States.

"Sec. 15. The certificate of health required by section 5 of this act shall, upon the arrival of any vessel from foreign ports at the anchorage or place established for quarantine inspection purposes in any port of the United States, be procurable at any time within which quarantine services are performed at such station from the quarantine health officer, following satisfactory inspection.

"Sec. 16. The Secretary of the Treasury is authorized and directed to prescribe a schedule of charges for quarantine services rendered to vessels at each of the national quarantine stations, which charges shall be reasonable and uniform for all ports, including the port of New York. The quarantine officer in each port of entry shall promptly forward to the collector of customs at such port an itemized statement of the quarantine services rendered to each vessel at the prescribed charges, which charges shall be paid to the collector of customs by said vessel prior to clearance or departure from such port. All such collections shall be accounted for by the collector of customs and shall be covered into the Treasury as miscellaneous receipts.

"The provisions of the act of June 5, 1920 (41 Stat. 876), relating to the schedule of fees and rates of charges to be adopted and promulgated by the Secretary of the Treasury at the New York Quarantine Station is hereby repealed.

"Sec. 17. Any officer or employee of the Public Health Service on duty at any national quarantine station or on a national quarantine vessel, or detailed for duty in foreign ports, under the provisions of sections 2 and 5 of this act, who is suffering from sickness or injury incurred in line of duty, shall be a beneficiary of the Public Health Service and shall be entitled to receive all necessary medical treatment and other benefits authorized to be furnished to beneficiaries."

Sec. 2. There is hereby authorized to be appropriated the sum of \$100,000, or so much thereof as may be necessary, to carry out the provisions of this amendatory act.

Sec. 3. Whenever steamship companies desiring the benefits of such extended quarantine service at any port, shall offer to advance funds in order to permit the immediate institution of such service at such port, the Secretary of the Treasury may, in his discretion, receive such funds and expend the same for such purposes; and the moneys so contributed shall be repaid by the Secretary, without interest, from any funds appropriated under authority of section 2 of this act.

The amendments were agreed to.

Mr. REED. Mr. President, as the Senator from New York knows, steamship companies are now required to pay extra in order to secure customs inspection late at night, and it is proposed in pending bills to require them to pay similarly for extra overtime of the immigration inspectors. I would like to ask the Senator from New York whether his bill will put in substantially the same system for the quarantine inspection.

Mr. COPELAND. Yes, Mr. President. Section 16, page 3, provides that the Secretary of the Treasury is authorized to arrange a schedule of charges, and it is assumed he will



do that on exactly the same basis as the charges made for immigration inspection.

Mr. REED. Does the Treasury Department approve the bill?

Mr. COPELAND. Yes; thoroughly, and urges its passage.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### BRYCE CANYON NATIONAL PARK

The Senate proceeded to consider the bill (H. R. 16116) to adjust the boundaries and for the addition of certain lands to the Bryce Canyon National Park, Utah, and for other purposes, which had been reported from the Committee on Public Lands and Surveys with amendments, on page 2, line 10, after the words "southwest quarter," insert a comma and the words "north half south half southeast quarter northwest quarter and."

On page 2, line 13, after the words "east half," insert the word "and."

On page 2, line 19, after the words "east half," insert the word "and."

On page 2, line 21, after the words "south half," strike out the words "northwest quarter" and insert in lieu thereof the words "west half."

On page 2, line 22, before the figure "2," strike out the word "and" and insert in lieu thereof a comma, and after the figure "2" insert a comma and "3 and 4"; in the same line, after the words "south half," strike out the words "northeast quarter"; and also in the same line, after "section 4" and the comma, insert the words "and lots 1 and 2 and south half east half section 5" and a comma.

So as to read:

*Be it enacted, etc.,* That for the purpose of preserving in their natural state the outstanding scenic features thereon and for the purpose of rounding out the boundary of the Bryce Canyon National Park, the President of the United States be, and he is hereby, authorized, upon the joint recommendation of the Secretaries of Interior and of Agriculture, to add to said park by Executive proclamation any or all of the following-described lands in the State of Utah, which shall thereupon become and be a part of said park subject to all laws and regulations applicable thereto, to wit: South half southwest quarter section 2, south half south half section 3, southeast quarter southeast quarter section 4, east half section 8, sections 9, 10, west half section 11, west half section 14, sections 15, 16, east half northeast quarter northwest quarter, east half northwest quarter northwest quarter, north half southeast quarter northwest quarter, south half northeast quarter southwest quarter, north half south half southeast quarter northwest quarter and north half southeast quarter southwest quarter section 17, south half south half section 19, south half northwest quarter section 20, west half west half east half and northeast quarter northeast quarter section 22, north half northwest quarter section 23, west half section 27, and north half northwest quarter section 34, township 36 south, range 3 west; lots 3 and 4, south half northwest quarter section 4, northeast quarter northeast quarter and southeast quarter southeast quarter section 8, township 37 south, range 3 west; west half east half and southwest quarter section 25, unsurveyed township 36 south, range 4 west; lots 3 and 4, south half west half section 3, lots 1, 2, 3, and 4 and south half section 4, and lots 1 and 2 and south half east half section 5, township 39 south, range 4 west, Salt Lake meridian: *Provided*, That nothing herein shall affect any valid existing claims upon the lands herein authorized to be added to the park or the rights of stockmen to continue to drive stock over the lands now under an existing stock driveway withdrawal.

SEC. 2. That the following-described lands are hereby eliminated from the Bryce Canyon National Park and shall hereafter be included in and become a part of the Powell National Forest, subject to all laws and regulations applicable thereto, to wit: Section 30, township 37 south, range 3 west; section 25, unsurveyed township 37 south, range 4 west, Salt Lake meridian.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

#### KLAMATH INDIANS

The bill (S. 4637) authorizing the payment of expenses connected with suits pending in the Court of Claims from tribal funds of the Klamath Indians was announced as next in order.

Mr. FRAZIER. Mr. President, I move that House bill 12835, Calendar 1527, authorizing the use of tribal funds for Indians belonging on the Klamath Reservation, Oreg.,

to pay expenses connected with suits pending in the Court of Claims and for other purposes, be substituted for Senate bill 4637.

The motion was agreed to; and the Senate proceeded to consider House bill 12835.

The bill was ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior is hereby authorized to pay, out of the tribal funds of the Indians belonging on the Klamath Indian Reservation in the State of Oregon, all claims for actual and necessary expenses heretofore incurred, or to be hereafter incurred, including those now pending and unpaid, in connection with the preparation and prosecution of the three suits by or on behalf of the said Indians now pending in the Court of Claims: *Provided*, That all claims for such expenses shall first have been authorized or approved by the Commissioner of Indian Affairs and the Klamath Tribal Business Committee: *Provided further*, That payments hereunder shall be limited to \$3,500 and that any sums allowed and paid under this act to the attorneys shall be reimbursable to the credit of the Klamath Tribe of Indians out of any amount or amounts which may hereafter be decreed by the Court of Claims to said attorneys for their services and expenses in connection with the Klamath Tribal claims and suits under the Act of May 26, 1920 (41 Stat. L., p. 623).

The PRESIDENT pro tempore. Senate bill 4637 will be indefinitely postponed.

#### INTERNATIONAL WATER COMMISSION, UNITED STATES AND MEXICO

The joint resolution (S. J. Res. 231) to further provide for defraying the expenses of the International Water Commission, United States and Mexico, was announced as next in order.

Mr. SHEPPARD. Mr. President, I move that Order of Business 1518, House Joint Resolution 462, to further provide for paying the expenses of the International Water Commission, United States and Mexico, be substituted for Senate Joint Resolution 231, and that the House joint resolution pass as amended by the Senate Committee on Foreign Relations.

The motion was agreed to, and the Senate proceeded to consider House Joint Resolution 462, which had been reported from the Committee on Foreign Relations with an amendment, on page 1, after line 6, to insert the words "continuing its study, in cooperation with representatives of Mexico, regarding the equitable use of the waters of the lower Rio Grande and lower Colorado Rivers and with the concurrence of Mexico, of the Tia Juana River, for the purpose of securing information on which to base a treaty with the Government of Mexico relative to the use of the waters of these rivers, including salaries in the District of Columbia and elsewhere, fees for professional services at rates and in amounts to be determined by the Secretary of State; rent in the District of Columbia and elsewhere; travel expenses, including transportation of effects; subsistence or per diem in lieu of subsistence notwithstanding the provisions of any other act; printing and binding; subscriptions to foreign and domestic newspapers and periodicals; purchase, exchange, maintenance, repair, and operation of motor-propelled passenger and freight carrying vehicles; drilling and testing of dam sites by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); equipment, and such other miscellaneous expense as the Secretary of State may deem proper: *Provided*, That any moneys contributed by or received from the United Mexican States for the purpose of cooperating or assisting in this work shall be available for expenditure in connection with this appropriation."

So as to read:

That there is hereby authorized to be appropriated, in addition to amounts heretofore authorized to be appropriated, the sum of \$287,000 to defray the expenses of the International Water Commission, United States and Mexico, in continuing its study, in cooperation with representatives of Mexico, regarding the equitable use of the waters of the lower Rio Grande and lower Colorado Rivers and, with the concurrence of Mexico, of the Tia Juana River, for the purpose of securing information on which to base a treaty with the Government of Mexico relative to the use of the waters of these rivers, including salaries in the District of Columbia and elsewhere; fees for professional services at rates and in amounts to be determined by the Secretary of State; rent in the District of



Columbia and elsewhere; travel expenses, including transportation of effects; subsistence or per diem in lieu of subsistence notwithstanding the provisions of any other act; printing and binding; subscriptions to foreign and domestic newspapers and periodicals; purchase, exchange, maintenance, repair, and operation of motor-propelled passenger and freight carrying vehicles; drilling and testing of dam sites by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); equipment and such other miscellaneous expense as the Secretary of State may deem proper: *Provided*, That any moneys contributed by or received from the United Mexican States for the purpose of cooperating or assisting in this work shall be available for expenditure in connection with this appropriation.

The amendment was agreed to.

The amendment was ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

The PRESIDENT pro tempore. Senate Joint Resolution 231 will be indefinitely postponed.

#### COMPENSATION OF CERTAIN OFFICIALS OF THE PHILIPPINE ISLANDS

Mr. KING. Mr. President, a few moments ago, when the senior Senator from Connecticut [Mr. BINGHAM] asked for the consideration of Senate bill 5515, which was reached on the calendar, I interposed an objection, understanding that it related to the appointment of a commission to deal with our insular possessions. I find upon investigation that it relates merely to the increase in compensation of one or two officials in the Philippine Islands.

The question has been canvassed by the United States officials and by representatives of the Filipinos, and all are united in the view that this bill should pass. Therefore I withdraw the objection.

Mr. BRATTON. Mr. President, I would like to ask the Senator from Connecticut a question. Is this a bill to which the Senator from Tennessee [Mr. McKELLAR] objected at the last call of the calendar?

Mr. BINGHAM. I do not remember, but as he objected to all the bills that came from the Committee on Territories and Insular Affairs, I take it that he objected to this.

Mr. BRATTON. I think he did, and in his absence, I object.

The PRESIDENT pro tempore. The bill goes over, under objection.

#### INTERNATIONAL TECHNICAL COMMITTEE OF AERIAL LEGAL EXPERTS

The Senate proceeded to consider the joint resolution (H. J. Res. 299) to provide an annual appropriation to meet the quota of the United States toward the expenses of the International Technical Committee of Aerial Legal Experts, which was read the third time, and passed, as follows:

*Resolved, etc.*, That a sum not to exceed \$250 is hereby authorized to be appropriated annually to meet the share of the United States of the expenses of the International Technical Committee of Aerial Legal Experts, beginning with the year 1930.

#### RECOGNITION OF SERVICES OF H. W. BENNETT

The Senate proceeded to consider the bill (H. R. 9702) authorizing the payment of an indemnity to the British Government on account of losses sustained by H. W. Bennett, a British subject, in connection with the rescue of survivors of the U. S. S. *Cherokee*.

Mr. REED. Mr. President, in glancing at that, it seems to me a singularly ungrateful thing for this country to do.

In February, 12 years ago, this officer was thrown overboard in the effort to rescue some survivors of an American patrol boat which foundered down near Cape Henry. His heroism and that of a shipmate resulted in their saving the lives of 11 men. This officer proceeded to give them all the spare clothing he had on his own ship. In spite of his injuries he went on giving out every stitch of dry clothing he owned. None of it ever came back to him, and this bill proposes to give him only the amount the Navy Department found his clothing to be worth 12 years ago. It seems to me the least we could do would be to pay interest on the money withheld from him all those years.

Mr. HEFLIN. What is the amount involved?

Mr. REED. It is only \$250. I move to amend the bill by striking out "\$253.50" and to insert in lieu thereof "\$400." The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

#### REIMBURSEMENT OF RZECZYCZANY, POLAND

The Senate proceeded to consider the bill (H. R. 12037) authorizing the payment of a claim presented by the Polish Government for the reimbursement of certain expenditures incurred by the community authorities of Rzeczyca, Poland, to which place an insane alien was erroneously deported, which was read the third time, and passed, as follows:

*Be it enacted, etc.*, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$152.35 to be paid to the Polish Government for the reimbursement of certain expenditures incurred by the community authorities of Rzeczyca, Poland, to which place an insane alien was erroneously deported.

#### DANISH SHIP "INDIEN"

The Senate proceeded to consider the bill (H. R. 12067) for compensation to the owners of the Danish motor ship *Indien* for damages sustained as the result of a collision with the U. S. Coast Guard cutter *Shawnee* at San Francisco on April 5, 1925, which was read the third time, and passed, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, directed to pay to the Danish Government, as an act of grace and without reference to the question of liability therefor, the sum of \$3,288.52 as full compensation to the owners of the Danish motor ship *Indien* for damages sustained as the result of a collision with the U. S. Coast Guard cutter *Shawnee* at San Francisco on April 5, 1925; and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sufficient sum to carry out the purpose of this act.

#### SPECIAL ASSESSMENTS FOR DISTRICT OF COLUMBIA STREET WORK

The bill (S. 4962) to provide for the special assessments for the paving of roadways and the laying of curbs and gutters, was announced as next in order.

Mr. COPELAND. Mr. President, I move to substitute House bill 14049, order of business 1500, to provide for special assessments for the paving of roadways and the laying of curbs and gutters.

The motion was agreed to, and the Senate proceeded to consider House bill 14049.

Mr. REED. Mr. President, I would like to ask a question of the Senator from New York. Is my understanding correct that the bill provides for a retroactive assessment against property for improvements made in past years?

Mr. COPELAND. No; I do not so understand it.

Mr. REED. I find, on page 7 of the bill, the provision that the Commissioners are "directed to cancel all assessments for improvements completed within three years prior to the date of the approval of this act," and are directed "to reassess the cost of such improvements against the abutting property." It seems to me that is highly unjust.

Mr. COPELAND. The Borland Act, which took care of these pavements, was declared unconstitutional. As to the particular item to which the Senator refers, may I ask the Senator from Wisconsin [Mr. BLAINE] if the matter referred to by the Senator from Pennsylvania was considered?

Mr. REED. I hope the Senator from Wisconsin will look at the section. It seems to me that section is of very dubious constitutionality in the first place.

The PRESIDENT pro tempore. The bill will go over, the substitution having been made.

Mr. REED. I ask that they both go over.

The PRESIDENT pro tempore. Senate bill 4962 will be indefinitely postponed, and House bill 14049 will be considered as substituted for the Senate bill.

Mr. REED. I ask that the House bill may go over.

The PRESIDENT pro tempore. The bill will be passed over.

#### DENTON L. SIMS

The Senate proceeded to consider the bill (S. 3523) for the relief of Denton L. Sims, which was ordered to be en-



grossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That in the administration of the pension laws and laws conferring rights and privileges upon honorably discharged soldiers, their widows, and dependent relatives Denton L. Sims, late of Company H, Thirty-eighth Regiment United States Volunteer Infantry, shall be held and considered to have been honorably discharged from the military service of the United States as a member of said organization on June 30, 1901: *Provided,* That no back pay, pension, bounty, or other emolument shall accrue prior to the passage of this act.

EUGENIA A. HELSTON

The Senate proceeded to consider the bill (H. R. 3935) for the relief of Eugenia A. Helston, which had been reported from the Committee on Military Affairs with an amendment, on page 2, line 1, after the word "act," to add the words "and that no additional pension shall accrue because of the passage of this act," so as to read:

*Be it enacted, etc.,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Joseph Helston, who was a member of the Second Regiment Illinois Volunteer Cavalry, shall hereafter be held and considered to have been mustered in July 1, 1861, and honorably discharged October 17, 1865, from the military service of the United States as a member of that organization: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act, and that no additional pension shall accrue because of the passage of this act.

Mr. REED. Mr. President, the Pension Bureau advises us, since the bill was reported, that the committee amendment is unnecessary in order to avoid the payment of a double pension, that the present law provides that that shall not be done, and that this lady will have to surrender her present pension in order to get any benefit from this bill. She is now getting a pension by special act for a very small amount, less than that given by the general law.

Mr. FLETCHER. Do I understand that the Senator asks the Senate to disagree to the committee amendment?

Mr. REED. Yes; I do.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was rejected.

The bill was ordered to a third reading, read the third time, and passed.

#### GRAND ARMY REUNION AT DES MOINES, IOWA

The Senate proceeded to consider the bill (S. 5920) authorizing the attendance of the Army Band at the annual encampment of the Grand Army of the Republic to be held at Des Moines, Iowa, which was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the President is authorized to permit the United States Army Band to attend and give concerts at the annual encampment of the Grand Army of the Republic to be held at Des Moines, Iowa, September 13 to 16, inclusive, 1931.

Sec. 2. For the purpose of defraying the expenses of the band in attending such reunion there is hereby authorized to be appropriated, out of any money in the United States Treasury not otherwise appropriated, the sum of \$7,500, or so much thereof as may be necessary.

#### ALLOWANCES FOR AIR TRAVEL TO COMMISSIONED AND ENLISTED PERSONNEL

The bill (S. 17) to amend section 12 of the act entitled "An act to readjust the pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service," approved June 10, 1922, as amended, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the first paragraph of section 12 of the act entitled "An act to readjust the pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service," approved June 10, 1922, as amended by the act of June 1, 1926 (44 Stat. L., p. 680; title 37, U. S. C., p. 2069, sec. 20), be, and the same is hereby, further amended by adding thereto the following proviso, to wit: "*Provided,* That for travel by air under competent orders on duty without troops, under regulations to be prescribed respectively by the heads of the departments concerned, members (including officers, warrant officers, contract surgeons, enlisted men, flying cadets, and members of the Nurse Corps) of the services mentioned in the title of this act, and of the legally constituted reserves of said services while on active duty, and of the National Guard while in Federal service, or while participating

in exercises, or performing duties under sections 92, 94, 97, or 99 of the national defense act, shall, in lieu of mileage or other travel allowances, be allowed and paid their actual and necessary traveling expenses not to exceed \$8 per day, or, in lieu thereof, per diem allowances at rates not to exceed \$6 per day."

Sec. 2. That the proviso in the act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1920, and for other purposes," approved July 11, 1919, authorizing payment of actual and necessary expenses only to officers of the Army and contract surgeons when traveling by air on duty without troops (41 Stat. L., p. 109; title 10, U. S. C., p. 197, sec. 750), and all other laws and parts of laws in so far as the same are in conflict with this act are hereby repealed; but nothing herein shall be construed to repeal or modify the provisions of section 5 of the act entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved March 3, 1925 (43 Stat. L., p. 1190; title 34, U. S. C., p. 1141, sec. 893).

#### CONSTRUCTION OF RURAL POST ROADS

The bill (S. 5019) to amend the act entitled "An act to amend the act entitled 'An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes,' approved July 11, 1916, as amended and supplemented, and for other purposes," approved June 24, 1930, and for other purposes, was considered.

The bill had been reported from the Committee on Post Offices and Post Roads, with an amendment, on page 2, line 3, to strike out "the sum of \$5,000,000 for the fiscal year ending June 30, 1931," so as to make the bill read:

*Be it enacted, etc.,* That for the purpose of carrying out the provisions of the second paragraph of section 3 of the Federal highway act as amended by the act approved June 24, 1930 (Public, No. 426, 71st Cong.), there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the following sums:

The sum of \$5,000,000 for the fiscal year ending June 30, 1932.

The sum of \$5,000,000 for the fiscal year ending June 30, 1933.

Said sums shall be available until expended in accordance with the provisions of said second paragraph of section 3 of said act: *Provided,* That in carrying out the provisions of said second paragraph of section 3, as amended, the term "main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations other than the forest reservations," as used therein may be construed as including also such roads through townships in which the area of the lands hereinbefore described exceeds 50 per cent of the total area of any such township.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### PAY AND ALLOWANCES DEPARTMENT OF COMMERCE VESSELS

The bill (S. 5962) to authorize the Secretary of Commerce to continue the system of pay and allowances, and so forth, for officers and men on vessels of the Department of Commerce in operation as of July 1, 1929, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Secretary of Commerce is authorized, in his discretion, to continue the system of pay and allowances, including allowances for longevity, for officers and men on vessels of the Department of Commerce, that was in operation as of July 1, 1929, until such time as legislation shall be enacted pursuant to section 2 of the act approved May 28, 1928 (45 Stat. 785), or similar legislation affecting the classification of vessel employees in the field service of the Government.

#### DONATIONS TO INDIAN INSTITUTIONS

The bill (H. R. 13053) to authorize the Secretary of the Interior to accept donations to or in behalf of institutions conducted for the benefit of Indians, was considered, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to accept contributions or donations of funds or other property, real, personal, or mixed, which may be tendered to, or for the benefit of, Federal Indian schools, hospitals, or other institutions conducted for the benefit of Indians, or for the advancement of the Indian race, and to apply or dispose of such donations for the use and benefit of such school, hospital, or other institution or for the benefit of individual Indians.

#### LITTLE TRUCKEE RIVER RESERVOIR

The bill (S. 5172) for the construction of a reservoir in the little Truckee River, Calif., and for such dams and other improvements as may be necessary to impound the waters



of Webber, Independence, and Donner Lakes, and for the further development of the water resources of the Truckee River was announced as next in order.

Mr. JONES. Mr. President, I ask the Senator from Nevada [Mr. ODDIE] if any survey has been made to give us an estimate of the cost of the reservoir and development of these resources.

Mr. ODDIE. Mr. President, a number of surveys have been made. Various parties in interest on the Truckee River system have been in disagreement for a number of years past until this summer. I have been working with them for a long time trying to settle these differences. They all agree that this legislation is necessary.

Mr. JONES. But who made the survey? Under whose authority was it made?

Mr. ODDIE. It has been made by officials in the State, and the reclamation officials are familiar with it.

Mr. JONES. I shall have to ask that the bill go over. I think we should have some survey made by the National Government before undertaking a project about the cost of which we do not seem to know anything.

Mr. ODDIE. We know very well. The National Government knows about it, and the Secretary of the Interior is favorable to it.

Mr. JONES. I ask that it go over.

Mr. KING. I object also.

The PRESIDENT pro tempore. The Senator from Washington insists upon his objection, and the Senator from Utah also objects, so the bill will go over.

**MEDAL OF HONOR TO THE LATE HENRY CLAY DREXLER AND THE LATE GEORGE ROBERT CHOLISTER**

The bill (S. 5481) to authorize the presentation of a medal of honor, posthumously, to the late Henry Clay Drexler was considered. The bill had been reported from the Committee on Naval Affairs with an amendment on page 1, line 5, after the word "Navy," to strike out "for his heroic action in endeavoring to submerge a charge of powder in an immersion tank on the occasion of a fire in the forward turret of the U. S. S. *Trenton*, wherein he met his death in a supreme effort to save his shipmates," and insert "and to the late George Robert Cholister, boatswain's mate, first class, United States Navy, for their heroic action in endeavoring to submerge a charge of powder in an immersion tank on the occasion of a fire in the forward turret of the U. S. S. *Trenton*, wherein they met their death in a supreme effort to save their shipmates," so as to make the bill read:

*Be it enacted, etc.,* That the President is authorized to present, in the name of Congress, a medal of honor, posthumously, to the late Henry Clay Drexler, former ensign, United States Navy, and to the late George Robert Cholister, boatswain's mate first class, United States Navy, for their heroic action in endeavoring to submerge a charge of powder in an immersion tank on the occasion of a fire in the forward turret of the U. S. S. *Trenton*, wherein they met their death in a supreme effort to save their shipmates.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to authorize the presentation of a medal of honor, posthumously, to the late Henry Clay Drexler, and to the late George Robert Cholister, boatswain's mate first class, United States Navy."

**PARK PLACE, HOUSTON, TEX.**

The bill (S. 5063) authorizing the Court of Claims of the United States to hear and report to Congress the claim of the city of Park Place, heretofore an independent municipality, but now a part of the city of Houston, Tex., was considered. The bill had been reported from the Committee on Claims with an amendment on page 2, line 5, to strike out the words "nor because a tort was committed by the agent and officers of the United States," so as to make the bill read:

*Be it enacted, etc.,* That the United States Court of Claims be, and it is hereby, authorized, directed, and given jurisdiction to hear, determine, and report to Congress the claim of the city of Park Place, Tex., heretofore an independent municipality, but now included within the extended corporate limits of Houston, Tex., for compensation for the destruction of and damage to the streets of said city of Park Place by the Army trucks of the United States

in the year 1917 and 1918. Said claim shall not be barred by any statute of limitation nor because of the fact that the claimant was, at the time of the injury, a separate municipality and now is a part of the city of Houston, Tex.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

**COMMERCIAL LOAN & TRUST CO., MONTICELLO, ARK.**

The bill (S. 5613) for the relief of Commercial Loan & Trust Co., Monticello, Ark., was considered. The bill had been reported from the Committee on Claims with an amendment to strike out all after the enacting clause and to insert:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem in favor of the Commercial Loan & Trust Co., Monticello, Ark., 5½ per cent United States Treasury certificate of indebtedness No. 3945, in the denomination of \$5,000, dated June 15, 1929, matured March 15, 1930, Series TM-1930, without interest and without presentation of the certificate which is alleged to have been lost and destroyed: *Provided*, That the said certificate of indebtedness shall not have been previously presented and paid: *Provided further*, That said Commercial Loan & Trust Co. shall first file in the Treasury Department a bond in the penal sum of double the amount of the principal of said certificate of indebtedness in such form and with such corporate surety as may be acceptable to the Secretary of the Treasury to indemnify and save harmless the United States from any loss on account of the certificate of indebtedness hereinbefore described.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

**MARGARET CROTTY**

The bill (S. 293) for the relief of Margaret Crotty was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That Margaret Crotty be paid the sum of \$579.60, out of any money in the Treasury not otherwise appropriated, the amount of gratuity due her on account of the death of her son, John P. Crotty.

**ROSE FEFFERMAN**

The bill (S. 1382) for the relief of Rose Fefferman, as administratrix of the estate of Adolph Fefferman, deceased, and the United Mercantile Distributing Co., a partnership, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Comptroller General of the United States be, and he is hereby, authorized and directed to examine and settle the claim of Rose Fefferman, as administratrix of the estate of Adolph Fefferman, deceased, and the United Mercantile Distributing Co., a partnership, for \$1,900.80, arising out of an auction sale held November 23, 1922, of certain mittens, and for \$412.99 arising out of an auction sale held on December 12, 1922, of certain knives and spoons, and to deduct therefrom \$1,440.90, due the United States by the estate of Adolph Fefferman, deceased, and the United Mercantile Distributing Co., as damages for breach of an auction sale on May 10, 1923, of certain blankets, and there is hereby appropriated out of any moneys in the Treasury not otherwise appropriated not to exceed \$872.89 for payment of such sum as may be allowed by the Comptroller General of the United States in full settlement of all claims of Rose Fefferman, administratrix, and the United Mercantile Distributing Co. against the United States on account of said auction sales.

**JOHN BABA**

The bill (S. 2106) for the relief of John Baba was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Comptroller General of the United States be, and he is hereby, authorized to settle and adjust the claim of John Baba for additional compensation for work performed under contract of June 20, 1928, for the making of certain repairs to floors, doors, etc., in several buildings at Schuylkill Arsenal, Philadelphia, Pa., and to allow said claim in the sum of not to exceed \$335. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$335, or so much thereof as may be necessary, for the payment of the claim.

**MACON, DUBLIN & SAVANNAH RAILROAD CO.**

The bill (S. 2614) for the relief of the Macon, Dublin & Savannah Railroad Co. was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:



*Be it enacted, etc.,* That the claim of the Macon, Dublin & Savannah Railroad Co. against the United States in relation to the transportation of Government property by way of Macon to Camp Wheeler, both in the State of Georgia, in the year 1917, be, and the same hereby is, referred to the General Accounting Office for settlement, and for certification of any amount due to the Congress, pursuant to section 2 of the act of July 7, 1884 (23 Stat. 254).

MAJ. O. S. McCLEARY

The bill (S. 4851) for the relief of Maj. O. S. McCleary, United States Army, retired, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Comptroller General of the United States is authorized and directed to allow to Maj. O. S. McCleary, United States Army, retired, the sum of \$148.98, being difference between active-duty pay and allowances and retired pay for period from July 2 to 20, 1927, while he was on leave from active duty, to which as a retired officer he was assigned.

POTOMAC ELECTRIC POWER CO.

The bill (S. 5765) for the relief of the Potomac Electric Power Co. was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Comptroller General of the United States is hereby authorized and directed to adjust and settle the claim of the Potomac Electric Power Co. for the balance necessary to reimburse it for the amount actually expended by said company in making electrical service connections from its mains to the control room on the east bascule draw span of the Arlington Memorial Bridge and to allow said company a balance of not to exceed \$2,157.25 in full and final settlement of said claim. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$2,157.25, or so much thereof as may be necessary, for payment of said claim.

PINEY BRANCH ROAD NW., DISTRICT OF COLUMBIA

The bill (S. 5832) to authorize the widening of Piney Branch Road NW., in the District of Columbia, and for other purposes, was announced as next in order.

Mr. CAPPER. Mr. President, an identical House bill, the bill (H. R. 16479) to authorize the widening of Piney Branch Road NW., in the District of Columbia, and for other purposes, is on the calendar. I move that the House bill be substituted for the Senate bill and placed upon its passage.

The PRESIDENT pro tempore. Without objection, that order will be entered.

The Senate considered the bill (H. R. 16479); and it was ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Commissioners of the District of Columbia be, and they are hereby, authorized to institute in the Supreme Court of the District of Columbia under subchapter 1 of chapter 15 of the Code of Law for the District of Columbia, and amendments thereto, a proceeding in rem to condemn the land necessary for the widening of Piney Branch Road to a width of 90 feet from Butternut Street to the Metropolitan Branch of the Baltimore & Ohio Railroad, in the vicinity of Fern Place NW., in the District of Columbia, the land herein authorized to be condemned for said widening being a strip of land 28½ feet wide along the westerly line of Piney Branch Road, as now publicly owned between Butternut Street and Blair Road through squares 3171 and 3174, and a strip of land 28½ feet wide along the easterly line of Piney Branch Road as now publicly owned between Butternut Street and Blair Road through squares 3172, 3190, 3189, and a public park at the intersection of Cedar Street with Piney Branch Road and a public park at the intersection of Blair Road and Piney Branch Road; and the commissioners are further authorized to condemn a strip of land 90 feet wide between Blair Road and the Metropolitan Branch of the Baltimore & Ohio Railroad upon a direct extension of the lines of Piney Branch Road between Blair Road and Butternut Street as herein provided for: *Provided, That* through squares 3171 and 3172 the condemnation shall be upon such curve lines as the commissioners may determine to connect with Piney Branch Road as now publicly owned south of Butternut Street and upon such curve lines through squares 3182 and 3184 as the commissioners may determine to connect with the proposed underpass in the vicinity of Fern Place and the Metropolitan Branch of the Baltimore & Ohio Railroad.

Sec. 2. All laws now in force and effect for the condemnation of streets in accordance with the plan of the permanent system of highways for the District of Columbia shall be applicable to the condemnation for the widening of Piney Branch Road, as provided for in this act, and the indefinite appropriation for the opening, extending, widening, or straightening of streets in accordance with said plan shall be available for the payment of any and all costs and expenses in connection with the condemnation proceedings instituted in accordance with this act.

Sec. 3. All laws and parts of laws inconsistent with or in conflict with the provisions of this act are hereby repealed.

The PRESIDENT pro tempore. Without objection, the Senate bill (S. 5832) will be indefinitely postponed.

CRUISER "GALVESTON" SILVER SERVICE

The bill (H. R. 13160) authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the Rosenberg Library, in the city of Galveston, Tex., the silver service presented to the United States for the cruiser *Galveston* was considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Secretary of the Navy is authorized, in his discretion, to deliver to the custody of the Rosenberg Library in the city of Galveston, Tex., for preservation and exhibition, the silver service which was presented to the United States for the cruiser *Galveston* by the citizens of Galveston, Tex.: *Provided, That* no expense shall be incurred by the United States for the delivery of such silver service.

S. W. GREER

The bill (S. 5902) for the relief of S. W. Greer was considered.

Mr. KING. Mr. President, I ask if there is any report from the War Department in regard to the case?

Mr. REED. The Senator will find it on page 4 of the committee's report. Reports are always made by The Adjutant General in private claim bills of this nature.

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Samuel W. Greer, who was a member of Company M, Third Regiment Kentucky Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of that organization on the 1st day of December, 1898: *Provided, That* no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

WIND CAVE NATIONAL PARK, S. DAK.

The bill (S. 5248) to extend the boundaries of Wind Cave National Park, S. Dak., by adding thereto an area of 320 acres was considered. The bill had been reported from the Committee on Public Lands and Surveys with amendments on page 1, line 5, after the word "the" to insert "east half of the southwest quarter, southeast quarter section 26, south half of section 25," and in line 7, after the word "east," to insert the words "and south half section 30, township 5 south, range 6 east," so as to make the bill read:

*Be it enacted, etc.,* That the boundaries of Wind Cave National Park in the State of South Dakota are hereby extended to include the lands within the east half of the southwest quarter, southeast quarter section 26, south half of section 25, east half of section 33, township 5 south, range 5 east, and south half section 30, township 5 south, range 6 east, Black Hills meridian, South Dakota, comprising a part of the Harney National Forest. Such lands are hereby made a part of Wind Cave National Park, and shall hereafter be subject to all laws and regulations applicable to such park.

The amendment was agreed to.

Mr. NORBECK. Mr. President, I wish to offer a slight corrective amendment. On page 1, line 9, after the word "comprising," I move to insert the words "in part."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to extend the boundaries of Wind Cave National Park, S. Dak."

RELIEF OF CERTAIN EMPLOYEES OF FOREST SERVICE

The bill (S. 3793) for the relief of certain employees of the Forest Service, Department of Agriculture, was considered. The bill had been reported from the Committee on Claims with amendments, on page 2, line 4, to strike out the initial "N" and insert the initial "M"; in line 7, to strike out "1914" and insert "1925"; in line 9, to strike out "1925" and insert "1917"; in line 10, strike out "\$150" and insert "\$100"; and in line 12, to strike out "\$300" and insert "\$150," so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the following-named employees of



the Forest Service, Department of Agriculture, the sums herein-after specified, in full satisfaction of their claims against the United States for property losses sustained by them as a result of a fire which destroyed the Squaw Mountain Road Camp in Mount Hood National Forest near Estacada, Oreg., on September 15, 1929: Walter L. Shriner, \$115, of which \$75 represents the value of a 1917 Ford roadster and \$40 represents the value of carpenter tools; P. A. Worden, \$21, representing the price of a tent; Ben M. Joslin, \$45, representing the value of a Winona wagon; Delbert H. Shaffer, \$90, representing the difference between the value of a 1925 Ford coupe and the amount of the insurance collected thereon; A. W. Lee, \$100, representing the value of a 1917 Ford roadster; Charles Palmer, \$100, representing the value of a 1924 Chevrolet roadster; Wilbur Linn, \$35, representing the value of a 1916 Ford touring car; George Cook, \$150, representing the value of a 1925 Chevrolet roadster; and Jack Marrs, \$50, representing the value of a 1919 Harley-Davidson motor cycle.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### WILLIAM WHITRIGHT

The bill (H. R. 11564) to reimburse William Whitright for expenses incurred as an authorized delegate of the Fort Peck Indians was considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to William Whitright from the fund designated "Indian moneys, proceeds of labor, Fort Peck Indians," the sum of \$94.10 as reimbursement for actual expenses incurred as a delegate to the Sioux council at Rosebud Agency, S. Dak., on October 21 and 22, 1926, under authority of the Commissioner of Indian Affairs dated October 7, 1926.

#### CHARLES THOMPSON

The bill (H. R. 11565) to reimburse Charles Thompson for expenses incurred as an authorized delegate of the Fort Peck Indians was considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Charles Thompson from the fund designated "Indian moneys, proceeds of labor, Fort Peck Indians," the sum of \$94.10 as reimbursement for actual expenses incurred as a delegate to the Sioux council at Rosebud Agency, S. Dak., on October 21 and 22, 1926, under authority of the Commissioner of Indian Affairs dated October 7, 1926.

#### BILL PASSED OVER

The bill (S. 3467) authorizing the construction of a drainage channel in the closed basin of the San Luis Valley in Colorado, authorizing investigations of reservoir sites, and for other purposes, was announced as next in order.

Mr. JONES. Mr. President, this is another bill it seems to me that is adopting projects without surveys and without any particular estimate as to the cost. I shall have to ask that it go over until I can examine it.

The PRESIDENT pro tempore. Under objection, the bill will go over.

#### UNITED STATES NAVAL HOSPITAL, WASHINGTON, D. C.

The bill (H. R. 9676) to authorize the Secretary of the Navy to proceed with certain public works at the United States Naval Hospital, Washington, D. C., was considered. The bill had been reported from the Committee on Naval Affairs with amendments, on page 1, line 4, to strike out "construct suitable buildings for hospital purposes," and insert in lieu thereof "replace, remodel, or extend existing structures and to construct additional buildings, with the utilities, accessories, and appurtenances pertaining thereto"; in line 9 to strike out "\$1,500,000" and insert "\$3,200,000," and in the same line to strike out "\$250,000" and insert "\$100,000"; and on page 2, after line 7, to insert a new section 2, so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Navy is hereby authorized to replace, remodel, or extend existing structures and to construct additional buildings, with the utilities, accessories, and appurtenances pertaining thereto, at the United States Naval Hospital, Washington, D. C., at a cost not to exceed \$3,200,000, of which \$100,000 shall be charged to the naval hospital fund: *Provided,* That the construction herein authorized shall be subject to the approval of the Public Building Commission under the authority of section 6 of the public buildings act of May 25, 1926, to the same extent as other public-building construction in the District of Columbia, and the plans for such construction shall be submitted to the Fine Arts Commission for advice.

SEC. 2. The Secretary of the Navy is hereby authorized to employ, when deemed by him desirable or advantageous, by contract or otherwise, outside professional or technical services of persons, firms, or corporations, to such extent as he may require for the purposes of this act, without reference to the classification act of 1923, as amended, or to section 3709 of the Revised Statutes of the United States, in addition to employees otherwise authorized, and expenditures for such purpose shall be made from the naval hospital fund.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

#### SILVER SERVICE OF GUNBOAT "HELENA"

The bill (S. 4761) authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the Historical Society of Montana, for preservation and exhibition, the silver service which was in use on the gunboat, No. 9, *Helena*, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Secretary of the Navy is authorized, in his discretion, to deliver to the custody of the Historical Society of Montana for preservation and exhibition in the city of Helena, in that State, the silver service which was in use on the gunboat, No. 9, *Helena*: *Provided,* That no expense shall be incurred by the United States for the delivery of such silver service.

#### RECOGNITION OF SERVICES OF EUGENE B. ELY

The bill (S. 5514) to authorize the posthumous award of a distinguished-flying cross to Eugene E. Ely was considered:

Mr. BINGHAM. Mr. President, I have a letter from a member of the family indicating that the middle initial should be "B" instead of "E." I move that amendment.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 1, line 5, strike out the initial "E" and insert the initial "B," and in line 10, strike out the initial "E" and insert the initial "B," so as to make the bill read:

*Be it enacted, etc.,* That the President is authorized to award, but not in the name of Congress, a distinguished-flying cross, posthumously, to Eugene B. Ely for extraordinary achievement as a pioneer civilian aviator and for his significant contribution to the development of aviation in the United States Navy. The President may present such flying cross to Nathan Dana Ely, colonel, United States Army, retired, father of the said Eugene B. Ely.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to authorize the posthumous award of a distinguished-flying cross to Eugene B. Ely."

#### BILL PASSED OVER

The bill (S. 5761) to amend the act approved June 22, 1926, entitled "An act to amend that part of the act approved August 29, 1916, relative to the retirement of captains, commanders, and lieutenant commanders of the line of the Navy," as amended by the act of March 4, 1929, was announced as next in order.

Mr. KING. Mr. President, I would like to have an explanation of the bill.

Mr. HALE. Mr. President, the matter contained in this bill is also contained in the line personnel bill, which has passed the Senate and is now before the House for action. If that bill passes the House, it will not be necessary to have this bill taken up in the Senate, so I am willing to have the bill go over. Then, if the House does not act upon the other bill, I shall ask the Senate to take action on this measure before final adjournment, as it is the same bill.

The PRESIDENT pro tempore. The bill will be passed over.

#### NAVAL WAR COLLEGE, NEWPORT, R. I.

The bill (S. 5083) to authorize the Secretary of the Navy to proceed with certain public works at the Naval War College, Newport, R. I., was considered, ordered to be en-



grossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Secretary of the Navy be, and he is hereby, authorized to remodel and extend existing structures and to construct an additional building at the Naval War College, Newport, R. I., at a cost not to exceed \$400,000.

#### REINSTATEMENT OF MIDSHIPMEN

The bill (S. 5059) to reinstate Lawrence L. Myatt and Miller S. Burgin as midshipmen in the United States Naval Academy was announced as next in order.

Mr. STECK. I ask that the bill may go over.

Mr. REED. Mr. President, may we have an explanation of the bill?

The PRESIDENT pro tempore. The Senator from Iowa has asked that the bill go over.

Mr. WALSH of Massachusetts. Mr. President, will the Senator from Iowa withhold his objection until I can make a brief explanation?

Mr. STECK. I withhold my objection for the present.

Mr. WALSH of Massachusetts. The bill seeks to reinstate two young men who were midshipmen at the Naval Academy at Annapolis. They had been members of the school for two years. In June, while a portion of the midshipmen were on vacation, on a Sunday evening the two young men invited two young ladies into the mess hall. They put upon each of the young ladies a blouse, such as is worn by midshipmen, and accompanied them to the mess hall. After they had been in the mess hall a short time the presence of the young ladies was discovered and they withdrew. Later the authorities of the academy became informed of what had taken place and dismissed both the young men.

Mr. CARAWAY. Mr. President, may I ask the Senator a question?

Mr. WALSH of Massachusetts. Certainly.

Mr. CARAWAY. I think an order was made that the two young ladies should not again become guests at the academy?

Mr. WALSH of Massachusetts. I think that order has been issued.

There is no question about both young ladies being very respectable and that the whole proceeding was merely a youthful stunt.

A subcommittee of the Committee on Naval Affairs heard both the young men and made an investigation into the matter. The subcommittee consisted of the junior Senator from Maryland [Mr. GOLDSBOROUGH], the senior Senator from New Jersey [Mr. KEAN], and myself. We felt that the action taken by the authorities was too severe in view of the fact that all during the lifetime of these young men, whenever they might apply for a civil-service status, they would be subject to an explanation of why they were dismissed from the Naval Academy. Had the acts which they performed been at all immoral, they could not have been punished more severely. Had they taken the two young ladies to their rooms, which is considered a very serious offense, and it is not claimed they attempted to do so, they could not have been punished any more severely.

Both these young men have an excellent standing. One of them is the son of a leading clergyman, now living in the State of Florida, but formerly of Texas, and, I think, personally known to both Senators from Florida and both Senators from Texas.

Mr. SHEPPARD. Mr. President, if the Senator will permit me, I should like to say that the father of young Burgin is a clergyman of the highest standing with a most enviable record for eloquence and consecration. I should like to ask the Senator if it is not a fact that if these young men are reinstated now it will mean that they will be set back a year or more? It seems to me they have been punished quite sufficiently for an offense of that kind. They are fine, promising, upstanding young men. I trust that the Senator from Iowa will withdraw his objection.

Mr. WALSH of Massachusetts. That seemed to be the opinion of the committee. The bill as originally introduced provided that they should be reinstated after being demoted one year; but the committee went further and have

reported a demotion of two years, believing that is not, under all the circumstances, an unfair punishment.

There are precedents for the proposed action, not where exactly the same offense was involved but similar offenses. There is no moral turpitude involved, and the committee felt very strongly that the young men ought to be given another chance, in view of all the circumstances.

Mr. TRAMMELL. Mr. President, will the Senator yield? Mr. WALSH of Massachusetts. I yield.

Mr. TRAMMELL. I understand the record of these young men had been exemplary previous to this time?

Mr. WALSH of Massachusetts. Both young men had exemplary records. One of them is known to the Senator from Florida. The other is a young man who enlisted in the Navy from the high school in order to enter the Naval Academy. He himself enlisted in the Navy, served there for a year, went to a special school to qualify for admission to the academy, passed the examination, and entered the academy.

Mr. TRAMMELL. I thoroughly agree with the position taken by the Senator from Massachusetts, knowing the family of the young man from Florida. The only question is one of discipline, and the punishment of these young men is sufficient to maintain proper discipline.

SEVERAL SENATORS. Regular order!

The PRESIDENT pro tempore. The Senator from Iowa has objected, and the regular order is demanded. The clerk will state the next bill on the calendar.

#### DEPORTATION OF ALIEN VIOLATORS OF NARCOTIC ACT

The Senate proceeded to consider the bill (H. R. 3394) to amend section 19 of the immigration act of 1917 by providing for the deportation of an alien convicted in violation of the Harrison narcotic law and amendments thereto, which had been reported from the Committee on Immigration with amendments, on page 1, line 3, after the word "alien," to strike out "except an addict, if not a dealer or peddler," and to insert "(except an addict who is not a dealer in or peddler of any of the narcotic drugs mentioned in this act)"; in line 6, after the word "shall," to strike out "violate or conspire to violate" and to insert "be convicted and sentenced for violation of or conspiracy to violate"; and at the beginning of line 10, to insert the word "transportation," so as to make the bill read:

*Be it enacted, etc.,* That any alien (except an addict who is not a dealer in or peddler of any of the narcotic drugs mentioned in this act) who after the enactment of this act shall be convicted and sentenced for violation of or conspiracy to violate any statute of the United States taxing, prohibiting, or regulating the manufacture, production, compounding, transportation, sale, exchange, dispensing, giving away, importation, or exportation of opium, coca leaves, heroin or any salt, derivative, or preparation of opium or coca leaves, shall be taken into custody and deported in manner provided in sections 19 and 20 of the act of February 5, 1917, entitled "An act to regulate the immigration of aliens to and the residence of aliens in the United States.

The amendments were agreed to.

Mr. BLEASE. I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. At the end of the bill it is proposed to insert the following:

That an alien who has been lawfully admitted to the United States for permanent residence and who has continued to reside therein since such admission shall, upon his application to the Commissioner General of Immigration, in a manner to be by regulation prescribed, with the approval of the Secretary of Labor, be furnished with a certificate made from the official record of such admission. Such certificate shall be signed by the Commissioner General of Immigration and shall contain the following information concerning such alien: Full name under which admitted; country of birth; date of birth; nationality; color of eyes; port at which admitted; name of steamship, if any; and date of admission. Such certificate shall also contain the full name by which the alien is then known, his signature, and his address. A photograph of the alien shall be securely attached to the certificate, which shall bear an impression of the seal of the Department of Labor.

SEC. 2. Such certificate shall be prima facie evidence of the lawful admission of such alien. A fee of \$3 shall be paid by such



alien to the Commissioner General of Immigration for each such certificate. The money so received by the Commissioner General of Immigration shall be paid over to the disbursing clerk of the Department of Labor, who shall thereupon deposit it in the Treasury of the United States, rendering an account therefor quarterly to the General Accounting Office, and the said disbursing clerk shall be held responsible under his bond for such fees.

Mr. LA FOLLETTE. I ask that the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. REED subsequently said: I ask unanimous consent that the Senate revert to Calendar No. 1494, being House bill, 3394, which was reached a few moments ago.

The PRESIDENT pro tempore. The Senator from Pennsylvania asks unanimous consent to recur to Order of Business 1494, being House bill 3394. Is there objection?

Mr. BRATTON. Let me inquire, Does the Senator desire to pass the bill?

Mr. REED. Yes, Mr. President. It is a bill which provides for the deportation of aliens who are convicted and sentenced for peddling narcotic drugs. The Senator from South Carolina tells me that he is willing to withdraw the amendment he has offered, and I understand there will be no objection to the bill as the committee reported it.

Mr. LA FOLLETTE. With that understanding, I withdraw my objection.

Mr. BLEASE. Mr. President, I withdraw my amendment at the request of the junior Senator from Pennsylvania [Mr. Davis], who, until a few months ago, was the very able Secretary of Labor.

The PRESIDENT pro tempore. The Senator from South Carolina withdraws his amendment, the Senator from Wisconsin withdraws his objection, and without objection the bill, as amended by the committee, will be regarded as having passed through the various parliamentary stages to its passage and passed.

The title was amended so as to read "A bill to provide for the deportation of aliens convicted and sentenced for violation of any law regulating traffic in narcotics."

#### ALASKA GAME LAWS

The bill (H. R. 11285) to amend the Alaska game laws was considered, read the third time, and passed, as follows:

*Be it enacted, etc.,* That section 2 of the act entitled "An act to establish an Alaska Game Commission to protect game animals, land fur-bearing animals, and birds in Alaska, and for other purposes," approved January 13, 1925 (43 Stat. 739), is amended under the definition "game animals" following the comma after the word "bears" by adding the words "and such other animals as have been or may hereafter be introduced," and under the definition "game birds" following the comma after the word "ptarmigan" by adding the words "and such other birds as have been or may hereafter be introduced."

Sec. 2. That section 3 of the act is amended by striking out in line 3 thereof the words "not less than one year," and following the comma in line 4 thereof by adding the words "for not less than one year immediately preceding his claim for resident privileges."

Sec. 3. That section 5 of the act is amended by striking out the sentence beginning with the word "Any" in line 23 thereof and ending in line 29, and by inserting in lieu thereof the following: "Any officer or employee empowered to enforce this act shall have authority without warrant to search any camp, camp outfit, pack or pack animals, automobile, wagon, or other vehicle, sled, or any boat, vessel, or other craft, in the Territorial waters of the United States, or any boat, vessel, or other craft of the United States on the high seas when such officer or employee has reasonable cause to believe that such camp, camp outfit, pack or pack animals, automobile, wagon, or other vehicle, sled, boat, vessel, or other craft has therein or thereon any of the animals or birds, or parts thereof, protected by this act, taken, possessed, sold, intended for sale, or transported contrary to law."

Sec. 4. That section 8 of said act is amended by inserting after the word "owners" in line 15 thereof, the words "in accordance with regulations prescribed by the Secretary of Agriculture."

Sec. 5. That section 10 of said act is amended by striking out in line 25 thereof the words "or other commercial mess house." That section 10 is further amended by adding at the end of said section the following: "Provided, That no person shall knowingly disturb, injure, or destroy any notice, signboard, seal, boat, vessel, sled, dog, or dog team, paraphernalia, or equipment, building, or other improvement or property of the United States used by the commission in the administration and/or enforcement of the provisions of this act, or as a notice to the public concerning the provisions of this act or any regulation adopted pursuant thereto, or as a marker of the boundary of any area closed to hunting, trapping, or other special use under the provisions of this act,

or to destroy, remove, tamper with, or imitate any metal seal or seals issued by the commission and attached to any skin, portion, or specimen of a wild animal or bird or other article for purposes of identification under its authority, in accordance with the provisions of this act or any regulation thereunder."

Sec. 6. That subdivision B of section 11 of said act is amended to read as follows:

"SUBDIVISION B. RESIDENT EXPORT LICENSE AND PERMIT: That no resident of the Territory shall transport therefrom any game animal, bird, or part thereof, unless he has (a) a resident export and return license, which will entitle him to transport out of the Territory for mounting and return to him in the Territory within one year such game animal, bird, or part thereof, as shall have been legally acquired by him and which shall be specifically identified in license, or (b) a resident export permit, which may be issued by the commission in its discretion, and which will entitle him to export from the Territory for other than return, but not for sale, such game animal, bird, or part thereof as shall have been legally acquired by him and which shall be specifically identified in the permit."

Sec. 7. That subdivision C of section 11 of said act is amended by striking out "\$2" where it first occurs therein and by inserting in lieu thereof "\$1," and by adding after the word "franchise" in line 10 thereof a colon, and the words "or of residents under the age of 16: Provided, That a licensed trapper shall be entitled to the privilege of hunting without a hunting license," and by striking out the word "sixty" and "adoption" in line 11 thereof and by inserting in lieu thereof the words "ninety" and "publication," respectively.

Sec. 8. That subdivision D of section 11 of said act is amended by striking out in lines 5 and 6 thereof the words "in a book which it shall keep" and insert in lieu thereof the words "on a form which it shall provide."

Sec. 9. That subdivision F of section 11 of said act is amended to read as follows:

"SUBDIVISION F. RECORDS, REPORTS: Each person to whom a license is issued to take animals or birds, or to deal in furs, shall keep records which shall show the kind and number of each species of animals or birds so taken, purchased, or otherwise procured under such license, the persons from whom they were purchased and to whom they were sold, date of purchase or sale, name of the trapper, and the number of the trapper's license, and shall, on or before 30 days after the expiration of his license, make a written report to the commission on a form prepared and furnished by it setting forth in full the data herein required to be recorded. Such records shall at all reasonable times be subject to inspection and examination by a member of the commission and any of its employees and by any marshal or deputy marshal. Any licensee who shall fail correctly to keep such records or who shall fail to submit such report or who shall in any such report knowingly falsely state any such data or who shall refuse to exhibit his records for inspection and examination as herein required shall be punished as prescribed in section 15 of this act."

Sec. 10. That, effective July 1, 1931, subdivision H of section 11 of said act is amended by inserting after the word "franchise" in line 8 thereof the following: "or of cooperative stores operated exclusively by and for native Indians, Eskimos, or half-breeds, or of stores operated by missions exclusively for native Indians, Eskimos, or half-breeds: Provided, That the stores exempted from procuring licenses as herein provided shall, on or before 30 days after the expiration of each license year as specified in this act, make a written statement to the commission on a form prepared and furnished by it setting forth such material facts concerning the management and operation of such store as the commission may by such form require and in addition thereto shall keep the records, make the reports, incur the penalties, and in all other respects be subject to the requirements of subdivision F of section 11 to the same extent as licensed fur dealers," and by striking out all after the colon in line 14 thereof and inserting in lieu thereof the following:

"(a) If the applicant is a resident of the Territory, \$10; or is an association or copartnership composed exclusively of residents of the Territory, organized under the laws of the Territory, for each member, \$10.

"(b) If the applicant is a nonresident of the Territory who is a citizen of the United States, or is a corporation composed exclusively of citizens of the United States, organized under the laws of the Territory or of a State of the United States, or is an association or copartnership composed exclusively of citizens of the United States, organized under the laws of the Territory or of a State of the United States, any member of which is a nonresident of the Territory, \$100.

"(c) If the applicant is an alien, or is a corporation, association, or copartnership, not organized under the laws of the Territory or of a State of the United States, or is a corporation, association, or copartnership, any stockholder or member of which is an alien, \$500.

"(d) If the applicant is a resident of the Territory and an agent in charge of a station of a fur dealer of either of the classes (a), (b), or (c), or a resident itinerant agent of such dealer, \$10.

"(e) If the applicant is a nonresident of the Territory but a citizen of the United States and an agent in charge of a station of a fur dealer of either of the classes (a), (b), or (c), or a nonresident citizen itinerant agent of such dealer, \$100.

"(f) If the applicant is an alien and an agent in charge of a station of a fur dealer of either of the classes (a), (b), or (c), or an alien itinerant agent of such dealer, \$500: Provided, That no



license shall be issued to any agent whose principal has not procured a license in accordance with (a), (b), or (c)."

Sec. 11. That, effective July 1, 1931, Subdivision I of section 11 of said act is amended to read as follows:

"SUBDIVISION I. FEES AND APPLICATIONS FOR, AND ISSUANCE OF LICENSES AND PERMITS.—Licenses and resident export permits shall be issued by the commission through its members, game wardens, and other persons authorized by it in writing to sell licenses. Resident export licenses and permits may also be issued by customs officers. Application blanks for licenses and permits shall be furnished by the commission and shall be in such form as the commission may by regulation determine. Each application shall be subscribed and sworn to by the applicant before an officer authorized to administer oaths in the Territory. Members of the commission and its game wardens and other persons authorized in writing by it to issue licenses, and postmasters and customs officers, are hereby authorized to administer such oaths. The applicant for a license or resident export permit shall accompany his application with a license or permit fee as follows: Nonresident general hunting and trapping license, \$50; nonresident small-game hunting license, \$10; resident export and return license, \$1 for each trophy; resident export permit, if removing residence, \$1 for each animal, \$1 for each bird, if otherwise, \$5 for each animal, \$1 for each bird; registered guide license, \$10; alien special license, \$100; and fur-farm license, \$2."

Sec. 12. Section 13 of said act is amended by adding at the end thereof the following: "Provided, That no action in rem shall be required with respect to any wild animal or bird, or part thereof, or any gun, net, trap, or other device possessed or used in or in aid of a violation of this act and legally seized when the claimant thereof releases such article or articles to the United States by a voluntary release in writing witnessed by two disinterested parties, in which case such articles shall be disposed of by the commission and if sold the proceeds shall be disposed of as provided in this section."

Sec. 13. Section 15 of said act is amended by striking out all the words between the semicolons in lines 7 and 10 thereof and by inserting in lieu thereof the following: "and, in addition thereto, any person convicted of a violation of any provision of this act who is the holder of any form of license issued thereunder shall thereupon forfeit said license and shall surrender it upon demand of any person authorized by the commission to receive it, and upon a second conviction he shall not be entitled to, nor shall he be granted, a license of such form for a period of one year from date of such forfeiture, and upon a third or successive conviction, for a period of five years from the date of such forfeiture; and any cooperative store operated exclusively by and for native Indians, Eskimos, or half-breeds, or any store operated by missions exclusively for native Indians, Eskimos, or half-breeds, without a license as provided in this act, upon a second or third conviction for violation of this act, shall not be entitled to engage in the business of dealing in furs for such time as the court before whom such conviction is had may decide: *Provided*, That such prohibition shall not be imposed for the first conviction, nor for a period in excess of one year from date of the second conviction, nor for a period in excess of five years from date of the third or any subsequent conviction."

Sec. 14. Section 16 of said act is amended to read as follows:

"Sec. 16. ADMINISTRATION OF OATHS FOR PURPOSES OF PROSECUTION—COORDINATION OF FISCAL BUSINESS: That such officers, agents, or employees of the Secretary of Agriculture or the Alaska Game Commission as may be designated in writing by said Secretary or commission for the purpose are hereby authorized and empowered to administer to or take from any person, an oath, affirmation, or affidavit whenever such oath, affirmation, or affidavit is for use in any prosecution or proceeding under or in the enforcement of this act; and, in order to coordinate the fiscal business of the United States Department of Agriculture and the Alaska Game Commission in Alaska, the ex officio commissioner of said department in Alaska designated by the Secretary of Agriculture pursuant to the authority contained in the act of February 10, 1927 (44 Stat. pt. 2, p. 1068), with the approval of said commission, may assign a bonded disbursing officer of said department stationed in Alaska to perform and discharge, without additional compensation, so much of the duties imposed and conferred upon the executive officer of said commission by this act as consist of the disbursement and receipt of public funds; and during the continuation of such assignment the bond of such executive officer required by section 6 of this act shall be reduced to \$1,000, and the bond of the disbursing officer so assigned shall be increased by the amount of \$20,000, the premium for such additional amount to be paid as provided for in said section 6 of this act."

#### REFUNDS ON ACCOUNT OF OVERPAYMENT TO RAILROADS

The bill (S. 3199) authorizing refunds to certain railroads of interest erroneously collected on account of overpayments under sections 209 and 212 of the transportation act, 1920, as amended, was considered, ordered to be engrossed for a third reading, read the third time as amended, and passed, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the following railroads the sums hereinafter mentioned, as a refund of the amount of interest erroneously collected from such railroads on overpayments, subsequently returned, which were made by the United States

under sections 209 (g) and 212 of the transportation act, 1920, as amended: To the Bangor & Aroostook Railroad Co., \$2,203.87; to the Birmingham & Southeastern Railway Co., \$1,518.50; to the Gulf, Texas & Western Railway Co., \$2,612.31; to the Leavenworth Terminal Railway & Bridge Co., \$2,902.68; to the Louisville Bridge & Terminal Railroad Co., \$29,488.88; to the Marion & Rye Valley Railroad Co., \$112.38; to the Morgan's Louisville & Texas Railroad Co., \$8,639.83; to the Mount Hope Mineral Railroad Co., \$29.79; to the Northern Alabama Railway Co., \$991.06; and to the Paris & Great Northern Railroad Co., \$353.53.

#### FARES OF SCHOOL CHILDREN IN THE DISTRICT OF COLUMBIA

Mr. THOMAS of Oklahoma. Mr. President, I ask unanimous consent to withdraw the amendment which I offered to House bill 12571.

The PRESIDENT pro tempore. Without objection, the amendment proposed by the Senator from Oklahoma will be withdrawn. The junior Senator from Virginia [Mr. GLASS] having objected to the bill, and not being here to withdraw his objection, the Chair thinks nothing can be done.

Mr. THOMAS of Oklahoma. The objection was raised by the Senator from South Carolina, and he does not now offer objection. I ask unanimous consent that the bill may be considered.

The PRESIDENT pro tempore. The Chair understood the Senator from Virginia to object.

Mr. WALSH of Montana. The Senator from Virginia expressly stated that he had no objection whatever to the bill as it was reported by the committee.

Mr. KING. That is correct.

The PRESIDENT pro tempore. Very well. The Senator from South Carolina withdraws his objection, and the Senator from Oklahoma withdraws his amendment.

Mr. BLEASE. I have not any objection to the bill as reported from the committee, and I withdraw my objection if the amendment of the Senator from Oklahoma is withdrawn.

The PRESIDENT pro tempore. The Senator from Oklahoma has withdrawn his amendment. The Chair understands, all Senators having withdrawn their objections to the bill—

Mr. GLASS. I withdraw mine.

The PRESIDENT pro tempore. The bill will be considered as having passed through the various parliamentary stages to its passage and passed.

Mr. REED. What bill is that?

The PRESIDENT pro tempore. It is Order of Business 1247, being House bill 12571, to provide for the transportation of school children in the District of Columbia at a reduced fare.

Mr. HEFLIN. I ask what became of the bill reducing fares to school children in the District of Columbia?

The PRESIDENT pro tempore. That bill was just passed.

JOHN M. FLYNN

Mr. COUZENS subsequently said: Mr. President, so long as we are reverting to some of the bills passed over, I ask unanimous consent to recur to Calendar No. 925, being the bill (H. R. 3644) for compensation in behalf of John M. Flynn. The bill has been on the calendar a long time. There have been objections by the Senator from Nebraska [Mr. HOWELL] and the Senator from Illinois [Mr. GLENN], but I desire to offer a substitute for the bill to which I think there will be no objection. I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Michigan will be stated.

The CHIEF CLERK. It is proposed to strike out all after the enacting clause and insert the following:

That sections 17 and 20 of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, are hereby waived in favor of John M. Flynn, who was injured May 4, 1921, while in the performance of his duties as an elevator operator in the Federal building at Springfield, Ill.



The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. JONES. Mr. President, I understood the Senator to say that the Senator from Illinois [Mr. GLENN] has heretofore objected to the bill. Does he know that the amendment will be satisfactory to him?

Mr. COUZENS. I have consulted the Senator from Illinois, and he said that the amendment was entirely satisfactory to him.

The PRESIDENT pro tempore. The question is on the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

#### DISTRICT OF COLUMBIA TRAFFIC ACT

Mr. KEAN. I ask unanimous consent to recur to Order of Business 1411, being House bill 5229, to amend the acts of Congress approved March 3, 1925, and June 3, 1926, known as the District of Columbia traffic acts, and for other purposes.

SEVERAL SENATORS. Regular order!

The PRESIDENT pro tempore. The regular order is demanded. The Secretary will state the next bill on the calendar.

#### USE AND OCCUPANCY OF NATIONAL-FOREST LANDS

The bill (S. 5810) to facilitate the use and occupancy of national-forest lands for purposes of residence, recreation, education, industry, and commerce was announced as next in order.

Mr. TRAMMELL. I object to the bill.

Mr. COPELAND. Mr. President, will the Senator withhold his objection?

Mr. TRAMMELL. I withhold it for a moment, but for an explanation only.

Mr. COPELAND. I think the Senator from Oregon [Mr. McNARY] can make a satisfactory explanation of this bill. I know little about it except that in my State the department of agriculture has indicated its desire that the bill might pass, and I hope that we may hear from the Senator from Oregon.

Mr. McNARY. After consulting to-day with the Chief of Forestry, I, too, ask that the bill go over for the present.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. TRAMMELL. I merely want to have a little time to look into the bill.

Mr. PITTMAN. I desire to give notice that I shall ask unanimous consent later, after the Senator from Florida shall have had a chance to examine the bill, to take it up and have it considered.

The PRESIDENT pro tempore. The bill will be temporarily passed over.

#### RATINGS OF NAVAL ACADEMY BAND

The bill (H. R. 10380) adjusting the salaries of the Naval Academy Band was considered, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Naval Academy Band shall hereafter consist of one leader with the pay and allowances of a lieutenant, senior grade, United States Navy; one second leader with the pay and allowances of a warrant officer; and of such enlisted men and in such ratings as may be assigned to that band by the Navy Department: *Provided*, That the ratings and the proportionate distribution among the ratings of the enlisted men shall be substantially the same as in the Navy Band: *Provided further*, That the leader, second leader, and the enlisted men of the Naval Academy Band shall be entitled to the same benefits in respect to pay, emoluments, and retirement arising from longevity, reenlistment, and length of service as are or hereafter may become applicable to other officers and enlisted men of the Navy.

#### THE STAR-SPANGLED BANNER

The bill (H. R. 14) to make the Star-Spangled Banner the national anthem of the United States of America was announced as next in order.

SEVERAL SENATORS. Over.

Mr. HEFLIN. Mr. President, what bill is that?

The PRESIDENT pro tempore. It is a House bill reported by the Committee on the Library.

#### LITTLE ROCK COLLEGE, ARKANSAS

The Senate proceeded to consider the bill (S. 407) for the relief of Little Rock College, Little Rock, Ark., which had been reported from the Committee on Claims with an amendment, in line 6, after the words "sum of," to strike out "\$670.09" and insert "\$1,451.41," so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of War be, and he is hereby, authorized and directed to reopen and allow credit in the property accounts of Little Rock College, Little Rock, Ark., in the sum of \$1,451.41, representing certain articles of ordnance, quartermaster, and engineer property for which the said Little Rock College is held liable on reports or surveys, as follows: Nos. 7, 8, 11, 12, approved January 13, 1926, and No. 10, approved January 5, 1926.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### WILLIAM J. RYAN

The bill (S. 4068) for the relief of William J. Ryan, chaplain, United States Army, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William J. Ryan, United States Army chaplain, Fort Winfield Scott, Calif., the sum of \$225.75, in full satisfaction of his claim against the United States for damage to his automobile as the result of an operation of the United States Army on Lincoln Boulevard, Presidio of San Francisco, Calif., on April 18, 1929.

#### STERLING S. BALL

The bill (H. R. 8253) for the relief of Sterling S. Ball was considered, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Comptroller General of the United States is authorized and directed to credit the accounts of Sterling S. Ball, former postmaster at Kahoka, Mo., with the sum of \$177.98, representing the value of war-savings stamps and other property lost from the post office at Kahoka, Mo., on December 19, 1918.

Sec. 2. The sureties on the bond of Sterling S. Ball as such postmaster are relieved from any liability on account of such loss.

#### E. F. ZANETTA

The bill (S. 3213) for the relief of E. F. Zanetta was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Comptroller General of the United States be, and he is hereby, authorized and directed to settle, adjust, and certify to the Congress the claim of E. F. Zanetta in the sum of \$2,315.32 in full settlement for damages sustained by reason of a collision between his truck and an Army tractor on the Castroville-Monterey Highway on or about June 6, 1927.

#### W. STANLEY GORSUCH

The bill (S. 5117) for the relief of W. Stanley Gorsuch was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to W. Stanley Gorsuch the sum of \$45 for damages sustained by him when his automobile was struck on September 17, 1928, by a steel cable depending from an airplane belonging to the Government at or near the Aberdeen Proving Ground in the State of Maryland.

#### CLARENCE R. KILLION

The Senate proceeded to consider the bill (S. 5141) for the relief of Clarence R. Killion, which had been reported from the Committee on Military Affairs with an amendment, in line 9, after the words "on the," to insert "1st," so as to make the bill read:

*Be it enacted, etc.,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Clarence R. Killion, who served in Company M, One hundred and sixty-eighth Infantry, Forty-second Division, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of said division on the 1st day of December, 1919: *Provided*, That no back pay, compensation, or allowance shall be held to have accrued prior to the passage of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.



## BILL PASSED OVER

The bill (S. 5745) to amend the act entitled "An act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine," approved August 2, 1886, as amended, was announced as next in order.

Mr. SMITH. I ask that that bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

## SARAH ANN COE

The Senate proceeded to consider the bill (S. 3611) for the relief of Sarah Ann Coe, which had been reported from the Committee on Claims, with an amendment, on line 6, after the words "sum of," to strike out "\$5,000" and insert "\$4,000," so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Sarah Ann Coe, widow of John Coe, deceased, out of any money in the Treasury not otherwise appropriated, the sum of \$4,000 in full settlement for the death of her husband, who was killed on the morning of December 29, 1923, by a United States mail truck at Huntington, W. Va.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## JEFF DAVIS CAPERTON AND LUCY VIRGINIA CAPERTON

The bill (S. 1793) for the relief of Jeff Davis Caperton and Lucy Virginia Caperton, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That sections 17 and 20 of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, are hereby waived in favor of Jeff Davis Caperton and Lucy Virginia Caperton, parents of J. P. Caperton, who was killed August 24, 1918, at Nitro, W. Va., when a freight train backed into the ambulance he was driving while in the performance of his duties.

## CLARENCE G. YOUNG

The bill (S. 4306) for the relief of Clarence G. Young, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Clarence G. Young, out of any money in the Treasury not otherwise appropriated, the sum of \$50 in full satisfaction of all claims against the United States for the loss of a horse hired to the United States Forest Service on August 13, 1929.

## GUY CLATTERBUCK

The bill (S. 4444) for the relief of Guy Clatterbuck, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$35 to Guy Clatterbuck, a forest ranger employed on the Flathead National Forest, State of Montana, in payment for a horse which was lost during a forest fire in said national forest.

## HERMAN INGMAN

The bill (S. 5183) for the relief of Herman Ingman, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Herman Ingman, assistant postmaster at Marysville, Mont., the sum of \$230 in full satisfaction of his claim against the United States for services rendered in hauling the mails between Marysville and Silver City, Mont., from May 5 to June 30, 1930, both dates inclusive.

## E. G. MASON

The bill (S. 5516) for the relief of E. G. Mason, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$200 to E. G. Mason, of Mercedes, Tex., which sum was paid by him April 6, 1928, to the United States by reason of the forfeiture of

the bail bond of Valentin Trevino, who was later taken into custody by said Mason, at his own expense, and surrendered to the United States marshal, entered a plea of guilty, and sentenced to serve a term in jail.

## BILL PASSED OVER

The bill (S. 5757) to amend an act entitled "An act to provide for the construction of certain public buildings, and for other purposes," approved May 25, 1926 (45 Stat. 630), and acts amendatory thereof, was announced as next in order.

Mr. JOHNSON. I ask that that bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

## REBECCA E. OLMSTED

The bill (H. R. 3428) for the relief of Rebecca E. Olmsted was considered, read the third time, and passed, as follows:

*Be it enacted, etc.,* That Rebecca E. Olmsted, mother of Lieut. Robert S. Olmsted, Air Service, United States Army, shall be regarded as the duly designated beneficiary and dependent of the late Robert S. Olmsted, under the act approved December 17, 1919 (41 Stat. 367).

## CONVENTION OF FRENCH VETERANS OF WORLD WAR

The Senate proceeded to consider the bill (S. 5571) to provide for the entertainment of members and delegates to the Fourteenth Annual Convention of the French Veterans of the World War, to be held in the District of Columbia in September, 1932, which had been reported from the Committee on Foreign Relations with an amendment on line 3, after the words "sum of," to strike out "\$150,000" and insert "\$50,000," so as to make the bill read:

*Be it enacted, etc.,* That the sum of \$50,000 is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, as a contribution by the United States, for the expenses and entertainment while in the United States of delegates and members participating in the Fourteenth Annual Convention of the French Veterans of the World War, to be held in the District of Columbia in September, 1932, during the celebration of the two hundredth anniversary of the birth of George Washington, and in honor of the birthday of General Lafayette. Such sum shall be expended by the national treasurer of the American Legion under such rules and regulations as the Secretary of State may prescribe. The United States shall not be liable, directly or indirectly, for any expense, obligation, or indebtedness incident to such convention.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## BILL PASSED OVER

The bill (S. 915) to incorporate the American National Institute (Prix de Paris) at Paris, France, was announced as next in order.

Mr. KING. I ask that the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. COPELAND. Mr. President, will the Senator withhold his objection for a moment?

Mr. KING. Yes; I withhold it.

Mr. COPELAND. Mr. President, I desire to call attention first to the fact that this report is attached to the star print, as the Senator will notice on the first page. That is a mistake, because it was not intended by the Committee on the Library that any appropriation should be authorized.

I ask in the first place, before we say anything about the bill, that section 9 on page 5 be stricken from the bill, because it was not intended that there should be any appropriation, as the Senator from Ohio knows.

I ask unanimous consent to omit section 9 from the bill.

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

The CHIEF CLERK. It is proposed to strike out lines 20, 21, 22, and 23 on page 5.

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. COPELAND. Mr. President, the purpose of this bill is to permit the national incorporation of a project which is now a New York State project. It proposes to encourage



American students who are abroad studying the various arts and sciences. The municipality of Paris has presented a site. It does not involve any expenditure on the part of the Government. Private enterprise, if any, will provide any buildings or other equipment.

Mr. KING. Mr. President, I agree most heartily with the object of this bill; but the matter has been before the Judiciary Committee upon a number of occasions. I have always taken the position that the Federal Government has no authority to grant these private charters, even for purposes of this character. These estimable people can form a corporation under the laws of the State of New York or under the laws of the District of Columbia; but we have heard of cases where national charters have been obtained, and the people who have dealt with them have believed that it was a Federal charter; that the Government was behind it; that it was a Government institution; and I have taken the position that the Federal Government ought not to grant these special charters. I object.

Mr. LA FOLLETTE. I call for the regular order.

The PRESIDENT pro tempore. The bill will be passed over.

ROBERT E. BECK

The bill (H. R. 1836) for the relief of Robert E. Beck, otherwise known as Rudolph E. Beck and Harry J. Brown, was considered, read the third time, and passed, as follows:

*Be it enacted, etc.,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Robert E. Beck, otherwise known as Rudolph E. Beck and Harry J. Brown, who was a member of Company C, Twenty-third Regiment United States Infantry, and who was honorably discharged from Company L, Eighteenth Regiment United States Infantry, on December 29, 1901, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of that organization on the 14th day of February, 1898: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

MILDRED L. WILLIAMS

The bill (H. R. 2887) for the relief of Mildred L. Williams was considered, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Secretary of War is authorized and directed to pay, out of the appropriation, "Pay, etc., of the Army," to Mildred L. Williams, of Atlantic, Iowa, widow of the late First Lieut. W. C. Williams, jr., an amount equal to six months' pay of Lieutenant Williams, who was killed in an airplane accident March 30, 1928, while serving with the Twelfth Observation Squadron, Second Division, Aid Corps.

JENNIE BRUCE GALLAHAN

The Senate proceeded to consider the bill (S. 934) for the relief of Jennie Bruce Gallahan, which had been reported from the Committee on the District of Columbia with an amendment, on page 1, line 6, after the words "sum of," to strike out "\$10,000" and insert "\$5,000," so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jennie Bruce Gallahan, the sum of \$5,000 as compensation for the death of her husband, Samuel L. Gallahan, late lieutenant, District of Columbia fire department, which occurred while he was engaged in the performance of his duties: *Provided*, That such sum shall be in addition to any payments heretofore or hereafter received from the policemen and firemen's relief fund, District of Columbia, on account of such death.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MEDAL TO COMMEMORATE SURRENDER OF LORD CORNWALLIS

The bill (S. 5677) to authorize the Secretary of the Treasury to prepare and manufacture a medal in commemoration of the one hundred and fiftieth anniversary of the surrender of Lord Cornwallis at Yorktown, Va., and of the establishment of the independence of the United States, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That in commemoration of the one hundred and fiftieth anniversary of the surrender of Lord Cornwallis at Yorktown, Va., and of the establishment of the independence of

the United States, the Secretary of the Treasury is authorized to prepare and manufacture at the United States Mint at Philadelphia a medal from an appropriate design with devices, emblems, and inscriptions significant of this historic achievement. The medals herein authorized shall be manufactured, not to exceed 500,000 in number, subject to the provisions of section 52 of the coinage act of 1873, from suitable models to be supplied by the United States Yorktown Sesquicentennial Commission. The medals so prepared shall be delivered at the Philadelphia mint to a designated agent of the United States Yorktown Sesquicentennial Commission upon payment of the cost thereof.

#### AMENDMENT OF ACT FOR THE CONSTRUCTION OF ARLINGTON MEMORIAL BRIDGE

The Senate proceeded to consider the bill (S. 5545) to amend an act approved February 24, 1925, entitled "An act to provide for the construction of a memorial bridge across the Potomac River from a point near the Lincoln Memorial, in the city of Washington, to an appropriate point in the State of Virginia, and for other purposes," which had been reported from the Committee on Public Buildings and Grounds with an amendment, on page 3, to strike out lines 1 and 2 and insert:

SEC. 9. Whenever it becomes necessary to acquire by condemnation proceedings any lands in the State of Virginia for the purpose of carrying out the provisions of the act, such proceedings shall conform as near as may be to the proceedings authorized by chapter 472 of the 1928 acts of the General Assembly of Virginia (Acts of the 1928 General Assembly of Virginia, pp. 1228-1230), empowering the State highway commissioner of Virginia to condemn lands for State highway purposes: *Provided*, That in addition to the exercise of the power of eminent domain as hereinbefore provided, the Arlington Memorial Bridge Commission is hereby authorized to enter upon and take possession of such lands and rights of way as it may deem necessary for the purposes of this act and to proceed with the construction of such highway, bridges, and other improvements on such lands without having first condemned the same: *Provided, however*, That within 60 days after taking possession of such lands and rights of way, if the United States and the owner or owners thereof have been unable to agree upon just compensation therefor, condemnation proceedings shall be instituted as hereinabove provided.

So as to make the bill read:

*Be it enacted, etc.,* That the act entitled "An act to provide for the construction of a memorial bridge across the Potomac River from a point near the Lincoln Memorial, in the city of Washington, to an appropriate point in the State of Virginia, and for other purposes," approved February 24, 1925, is hereby amended by the addition thereto of the following:

"SEC. 8. That the said Arlington Memorial Bridge Commission is hereby authorized and directed to establish and construct a boulevard approach to the bridge at the Virginia terminus beginning at a point designated as station 107 adjacent to the west side of Fort Myer Military Reservation and encircling and passing through the reservation and Arlington National Cemetery, as shown by and in accordance with a map entitled 'Arlington Memorial Bridge, Proposed Lee Boulevard Approach,' dated February 3, 1930, on file in the office of the Arlington Memorial Bridge Commission; and for that purpose to use such land owned by the United States of America as, in its judgment, may be necessary; and to acquire by purchase, condemnation, exchange, or otherwise such other lands as, in its judgment, may be necessary: *Provided, however*, That upon passage of this act and before any expenditure by said commission for acquisition of land, or for construction, the fee-simple title now possessed and held in trust by the National Boulevard Association for the State of Virginia shall be surrendered to the United States of America by a deed of general warranty, the value of such land amounting to approximately \$175,000, the titles to all land to be approved by the Attorney General of the United States.

"SEC. 9. Whenever it becomes necessary to acquire by condemnation proceedings any lands in the State of Virginia for the purpose of carrying out the provisions of the act, such proceedings shall conform as near as may be to the proceedings authorized by chapter 472 of the 1928 acts of the General Assembly of Virginia (Acts of the 1928 General Assembly of Virginia, pp. 1228-1230), empowering the State highway commissioner of Virginia to condemn lands for State highway purposes: *Provided*, That in addition to the exercise of the power of eminent domain as hereinbefore provided, the Arlington Memorial Bridge Commission is hereby authorized to enter upon and take possession of such lands and rights of way as it may deem necessary for the purposes of this act and to proceed with the construction of such highway, bridges, and other improvements on such lands without having first condemned the same: *Provided, however*, That within 60 days after taking possession of such lands and rights of way, if the United States and the owner or owners thereof have been unable to agree upon just compensation therefor, condemnation proceedings shall be instituted as hereinabove provided.

"SEC. 10. That the Arlington Memorial Bridge Commission is hereby authorized to make exchange of land with the Washington-Virginia Electric Railroad Co. in case removal of tracks to another location may make such exchange desirable.



"Sec. 11. That the Arlington Memorial Bridge Commission is hereby authorized and directed to prepare plans for the construction of said Lee Boulevard approach in keeping with the memorial-bridge project and with its character as a principal approach and gateway to Washington, the plans to include separation of grades and landscaping as said bridge commission may determine.

"Sec. 12. That in order to provide for the cost of plans and estimates and acquisition of necessary lands the limit of the total cost of the Arlington memorial project, as set forth in the said act, approved February 24, 1925, is hereby increased by the sum of \$812,087.50, which additional amount, or so much thereof as may be necessary, is authorized to be appropriated from any moneys available or that may become available in the Treasury of the United States.

"Sec. 13. That upon completion of the construction of the said approach, the roadway, together with the right of way, shall be transferred to the park system under the Director of Public Buildings and Public Parks of the National Capital for maintenance, development, and policing: *Provided*, That such portions of the appurtenant lands not included in the 200-foot right of way as, in the opinion of the Arlington Memorial Bridge Commission, would be particularly useful to the Arlington National Cemetery or the Fort Myer Military Reservation, may be transferred to the jurisdiction of the Secretary of War.

"Sec. 14. That this act shall take effect upon its passage."

The amendment was agreed to.

Mr. McNARY. Mr. President, I am advised that the junior Senator from South Dakota [Mr. McMASTER] desires to be heard on that matter, and I ask that the bill be temporarily passed over.

Mr. SWANSON. Mr. President, I hope the Senator will not make objection. I did not understand what he said. What statement did the Senator make?

Mr. McNARY. I stated that the junior Senator from South Dakota [Mr. McMASTER] desires to be heard on the matter, and I insist that the bill must go over for the evening during his absence.

The PRESIDENT pro tempore. The bill will be passed over.

#### BILLS PASSED OVER

The bill (H. R. 16654) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1932, was announced as next in order.

Mr. LA FOLLETTE and other Senators. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 5818) to regulate commerce between the United States and foreign countries in crude petroleum and all products of petroleum, including fuel oil, and to limit the importation thereof, and for other purposes, was announced as next in order.

SEVERAL SENATORS. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

#### CHIPPewa INDIANS OF MINNESOTA

The bill (S. 4831) to amend an act approved May 14, 1926 (44 Stat. 555), entitled "An act authorizing the Chippewa Indians of Minnesota to submit claims to the Court of Claims," was announced as next in order.

Mr. FRAZIER. Mr. President, I move that Order of Business 1545, House bill 13584, be substituted for this bill.

The PRESIDENT pro tempore. Without objection, that order will be entered.

The bill (H. R. 13584) to amend an act approved May 14, 1926 (44 Stat. 555), entitled "An act authorizing the Chippewa Indians of Minnesota to submit claims to the Court of Claims," was considered, read the third time, and passed, as follows:

*Be it enacted, etc.*, That section 1 of an act approved May 14, 1926 (44 Stat. 555), be, and the same is hereby, amended to read as follows:

"SECTION 1. That jurisdiction be, and is hereby, conferred upon the Court of Claims, with right of appeal to the Supreme Court of the United States by either party as in other cases, notwithstanding the lapse of time or statute of limitations, to hear, examine, and adjudicate and render judgment in any and all legal and equitable claims arising under or growing out of the act of January 14, 1889 (25 Stat. L. 642), or arising under or growing out of any subsequent act of Congress in relation to Indian affairs which said Chippewa Indians of Minnesota may have against the United States, which claims have not heretofore been determined and adjudicated on their merits by the Court of Claims or the

Supreme Court of the United States. In any such suit or suits the plaintiff, the Chippewa Indians of Minnesota, shall be considered as including and representing all those entitled to share in either the interest or in the final distribution of the permanent fund provided for by section 7 of the act of January 14, 1889 (25 Stat. L. 642), and the agreements entered into thereunder. That nothing herein shall be construed to affect the powers of the Secretary of the Interior to determine the roll of the Chippewa Indians of Minnesota for the purpose of making the final distribution of the permanent Chippewa fund. This act shall apply to any and all suit or suits brought under said act of May 14, 1926, whether now pending or hereafter commenced."

The PRESIDENT pro tempore. Without objection, Senate bill 4831 will be indefinitely postponed.

#### EASTERN BAND OF CHEROKEE INDIANS, NORTH CAROLINA

The bill (S. 5110) to amend the act of June 4, 1924, providing for a final disposition of the affairs of the Eastern Band of Cherokee Indians in North Carolina was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the final roll of the Eastern Band of Cherokee Indians in North Carolina directed to be prepared by the act of June 4, 1924 (43 Stat. L. 376), is hereby declared to be a final roll of said Indians only for the purpose of showing the membership of said band as it existed on the 4th day of June, 1924: *Provided*, That thereafter no person of less than one-sixteenth degree of said Eastern Cherokee Indian blood shall be recognized as entitled to any rights with the Eastern Band of Cherokee Indians except by inheritance from a deceased member or members: *Provided further*, That the Secretary of the Interior is hereby authorized to defer the work of making allotments in severalty to the enrolled members of said band as provided for in said act until otherwise directed by Congress.

SEC. 2. That all acts or parts of acts in conflict herewith are hereby repealed.

#### CELEBRATION OF SURRENDER OF LORD CORNWALLIS

The bill (S. 6032) amending section 1 of Public Resolution No. 89, Seventy-first Congress, approved June 17, 1930, entitled "Joint resolution providing for the participation of the United States in the celebration of the one hundred and fiftieth anniversary of the siege of Yorktown, Va., and the surrender of Lord Cornwallis on October 19, 1781, and authorizing an appropriation to be used in connection with such celebration, and for other purposes," was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That section 1 of Public Resolution No. 89, Seventy-first Congress, approved June 17, 1930, entitled "Joint resolution providing for the participation of the United States in the celebration of the one hundred and fiftieth anniversary of the siege of Yorktown, Va., and the surrender of Lord Cornwallis on October 19, 1781, and authorizing an appropriation to be used in connection with such celebration, and for other purposes," be, and the same is hereby, amended to read as follows:

"SECTION 1. That the commission heretofore created pursuant to House Concurrent Resolution 43, Seventieth Congress, first session, and known as the United States Yorktown Sesquicentennial Commission, be, and the same is hereby, continued by the same name and hereinafter referred to as the commission.

"The membership on the commission of Senators and Members of the House of Representatives shall continue irrespective of their terms as Members of Congress. Any vacancies arising in the personnel of the said commission shall be filled as follows: Any vacancies occurring among Senators shall be filled by the President of the Senate, and any vacancies occurring among Members of the House of Representatives before the organization of the Seventy-second Congress shall be filled by appointment by the present Speaker of the House of Representatives."

#### ADDITIONAL DISTRICT JUDGE, SOUTHERN DISTRICT OF ILLINOIS

The bill (H. R. 11967) to provide for the appointment of an additional district judge for the southern district of Illinois was considered, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the President of the United States be, and he is hereby, authorized and directed to appoint, by and with the advice and consent of the Senate, an additional judge of the District Court of the United States for the Southern District of Illinois.

#### PER CAPITA PAYMENT TO MENOMINEE INDIANS OF WISCONSIN

The bill (S. 5684) authorizing a per capita payment of \$100 to the members of the Menominee Tribe of Indians of Wisconsin from funds on deposit to their credit in the Treasury of the United States was announced as next in order.



Mr. LA FOLLETTE. Mr. President, immediately following this bill is an identical House bill, H. R. 11281. I ask unanimous consent that the House bill be substituted for the Senate bill, and that the Senate bill may be indefinitely postponed.

The PRESIDENT pro tempore. Without objection, both orders will be entered.

The bill (H. R. 11281) authorizing a per capita payment of \$50 to the members of the Menominee Tribe of Indians of Wisconsin from funds on deposit to their credit in the Treasury of the United States was considered, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized to withdraw from the fund in the Treasury of the United States on deposit to the credit of the Menominee Indians in the State of Wisconsin a sufficient sum to make therefrom a per capita payment or distribution of \$50 to each of the living members on the tribal roll of the Menominee Tribe of Indians of the State of Wisconsin, under such rules and regulations as the said Secretary may prescribe.

The PRESIDENT pro tempore. Without objection, Senate bill 5684 will be indefinitely postponed.

#### UTE INDIANS OF UTAH, COLORADO, AND NEW MEXICO

The Senate proceeded to consider the bill (S. 4321) for the relief of the confederated bands of Ute Indians, located in Utah, Colorado, and New Mexico, which had been reported from the Committee on Indian Affairs, with amendments, on page 1, line 3, after the words "sum of," to strike out "\$645,600" and insert "\$161,400"; on line 7, after the words "compensation for," to insert "the surface rights in"; on page 2, to strike out lines 1 and 2 and insert "and September 27, 1924"; and on the same page, after line 18, to insert:

Sec. 2. The payment authorized by section 1 shall not be construed to include any compensation for any mineral rights in such lands, or as a legislative determination of the value of such mineral rights, which are left to be determined thereafter, or of the per acre value of any other lands in which such Indians may have any claim or interest.

So as to make the bill read:

*Be it enacted, etc.,* That the sum of \$161,400 be, and the same is hereby, authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the confederated bands of Ute Indians in full compensation for the surface rights in 64,560 acres of land in western Colorado, taken from the said Indians by the United States and set aside as a naval oil reserve by Executive orders dated December 6, 1916, and September 27, 1924; said sum to be placed on the books of the Treasury Department to the credit of the confederated bands of Ute Indians, as a trust fund to be added to the trust fund of said Indians created by the act of Congress approved March 4, 1913 (37 Stat. 934), to bear interest at 4 per cent per annum from the dates of said Executive orders, respectively, and to be subject to disposal in accordance with existing law; and the Secretary of the Interior shall have jurisdiction to determine, fix, and pay out of the said sum a reasonable amount for attorneys' fees, not to exceed 10 per cent of the sum accruing to the credit of the Indians hereunder for services rendered, and all necessary and proper expenses, as provided for in two contracts made by respective bands of said Indians with their attorneys, as approved by the Secretary of the Interior and the Commissioner of Indian Affairs.

Sec. 2. The payment authorized by section 1 shall not be construed to include any compensation for any mineral rights in such lands, or as a legislative determination of the value of such mineral rights, which are left to be determined thereafter, or of the per acre value of any other lands in which such Indians may have any claim or interest.

The amendments were agreed to.

Mr. KING. Mr. President, I should like to ask the chairman of the Committee on Indian Affairs if the committee is unanimous in reporting this bill.

Mr. FRAZIER. Mr. President, in the case of this bill a subcommittee was appointed, of which the Senator from Oregon [Mr. STEIWER] was chairman, and hearings were held. The result was these amendments; and the report was unanimous.

Mr. BRATTON. Mr. President, may I ask the Senator whether the Indians are satisfied with the payment of this sum for the surface rights of their lands?

Mr. FRAZIER. I think so, under the circumstances. The last amendment provides that the value of the oil or minerals shall be paid for later on, when the value is determined.

Mr. BRATTON. Are they satisfied with the settlement so far as the surface rights are concerned?

Mr. FRAZIER. I understand they are. That is my understanding.

Mr. KING. I should like to have this bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

#### LANDS WITHIN CHEYENNE RIVER AND STANDING ROCK INDIAN RESERVATIONS, NORTH AND SOUTH DAKOTA

The bill (H. R. 13587) to amend the act of April 25, 1922, as amended, entitled "An act authorizing extensions of time for the payment of purchase money due under certain homestead entries and Government-land purchases within the former Cheyenne River and Standing Rock Indian Reservations, N. Dak., and S. Dak.," was considered, read the third time, and passed, as follows:

*Be it enacted, etc.,* That any entryman or purchaser of ceded Cheyenne River and Standing Rock Indian lands who is unable to make payment as required by the act of March 31, 1928 (45 Stat. L. 400), may obtain an extension of time for the payment due December 1, 1930, of the total amount of principal and interest required by that act, for one year from the date when such sum became due under the provisions of said act upon the payment of interest on the total amount involved at the rate of 5 per cent per annum: *Provided,* That such claimant for the same reason and upon making payment of interest may obtain an extension of time for one year for payment of the amount due under said act on December 1, 1931.

#### THEODORE ROOSEVELT MEMORIAL

The bill (H. R. 16078) to amend the act approved June 2, 1930, providing for a memorial to Theodore Roosevelt for his leadership in the cause of forest conservation was considered, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the act approved June 2, 1930 (Public, No. 296, 71st Cong.), be amended to read as follows:

"That the Secretary of Agriculture is authorized and directed to erect a suitable memorial on the continental divide at the summit of the Rocky Mountains on the boundary between the Lewis and Clark National Forest and the Flathead National Forest in Montana and along the Theodore Roosevelt International Highway in commemoration of the leadership of Theodore Roosevelt in preserving the forest resources of the United States: *Provided,* That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of \$25,000 for the purposes of this act.

"That the plan and design of such memorial shall be subject to the approval of the National Commission of Fine Arts.

"The Secretary of Agriculture is authorized to do all things necessary to accomplish said purpose, by contract or otherwise, with or without advertising, under such conditions as he may prescribe, including the engagement, by contract, of services of such architects, sculptors, artists, or firms or partnerships thereof, and other technical and professional personnel as he may deem necessary without regard to civil-service requirements and restrictions of law governing the employment and compensation of employees of the United States, and to spend in accordance with the provisions of this act such sum of money as may be placed in his hands as a contribution additional to the funds appropriated by Congress."

#### EVERGLADES NATIONAL PARK, FLA.

The Senate proceeded to consider the bill (S. 5410) to provide for the establishment of the Everglades National Park in the State of Florida, and for other purposes, which had been reported from the Committee on Public Lands and Surveys, with amendments, on page 1, line 3, after the word "to," to insert "all the"; on page 2, line 15, after the word "purposes," to insert "*Provided,* That no land for said park shall be accepted until exclusive jurisdiction over the entire park area, in form satisfactory to the Secretary of the Interior, shall have been ceded by the State of Florida to the United States"; and on page 3, line 3, after the word "park," to insert "*Provided further,* That nothing in this act shall be construed to lessen any existing rights of the Seminole Indians which are not in conflict with the purposes for which the Everglades National Park is created," so as to make the bill read:

*Be it enacted, etc.,* That when title to all the lands within the area hereinafter referred to shall have been vested in the United States, there shall be, and there is hereby, established, dedicated, and set apart as a public park for the benefit and enjoyment of the people, the tract of land in the region of the Everglades of Dade, Monroe, and Collier Counties of the State of Florida, being approximately 2,000 square miles, as may be recommended as a



national park by the Secretary of the Interior and within boundaries to be fixed by him pursuant to the provisions of the act of March 1, 1929 (45 Stat., pt. 1, p. 1443), which area, or any part or parts thereof as may be accepted on behalf of the United States in accordance with the provisions hereof, shall be known as the Everglades National Park: *Provided*, That the United States shall not purchase by appropriation of public moneys any land within the aforesaid area, but such lands shall be secured by the United States only by public or private donation.

Sec. 2. The Secretary of the Interior is hereby authorized, in his discretion and upon submission of evidence of title satisfactory to him, to accept on behalf of the United States, title to the lands referred to in the previous section hereof as may be deemed by him necessary or desirable for national-park purposes: *Provided*, That no land for said park shall be accepted until exclusive jurisdiction over the entire park area, in form satisfactory to the Secretary of the Interior, shall have been ceded by the State of Florida to the United States.

Sec. 3. The administration, protection, and development of the aforesaid park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the act of August 25, 1916 (39 Stat. 535), entitled "An act to establish a National Park Service, and for other purposes," as amended: *Provided*, That the provisions of the act approved June 10, 1920, known as the Federal water power act, shall not apply to this park: *Provided further*, That nothing in this act shall be construed to lessen any existing rights of the Seminole Indians which are not in conflict with the purposes for which the Everglades National Park is created.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### HIGH-SCHOOL BUILDING, FORT PECK INDIAN RESERVATION

The bill (S. 5184) to provide funds for cooperation with the school board at Poplar, Mont., in the extension of the high-school building to be available to Indian children of the Fort Peck Indian Reservation was announced as next in order.

Mr. WHEELER. Mr. President, I move that Order of Business 1549, House bill 15601, which has passed the House and is identical with this bill, be substituted in place of Senate bill 5184, and that the Senate bill be indefinitely postponed.

The PRESIDENT pro tempore. Without objection, that substitution will be made.

The bill (H. R. 15601) to provide funds for cooperation with the school board at Poplar, Mont., in the extension of the high-school building to be available to Indian children of the Fort Peck Indian Reservation was considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of \$50,000 for the purpose of cooperating with the public school board of district No. 9, town of Poplar, and county of Roosevelt, Mont., for the extension and betterment of the public high-school building at Poplar, Mont.: *Provided*, That the expenditure of any money so appropriated shall be subject to the express conditions that the school maintained by the said school district in the said building shall be available to all Indian children of Fort Peck Indian Reservation, Mont., on the same terms, except as to payment of tuition, as other children of said school district and that accommodations in said enlarged building to the extent of one-half its capacity shall be available for Indian children from the Fort Peck Reservation: *Provided further*, That such expenditures shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

The PRESIDENT pro tempore. Without objection, Senate bill 5184 will be indefinitely postponed.

#### EVERGLADES NATIONAL PARK, FLA.

Mr. WALSH of Montana. Mr. President, we have just passed the so-called Everglades National Park bill. I should like to call attention to the amendment at the conclusion of the bill proposed by the committee, as follows:

*Provided further*, That nothing in this act shall be construed to lessen any existing rights of the Seminole Indians which are not in conflict with the purposes for which the Everglades National Park is created.

It seems to me that if the Seminole Indians have any rights there, they ought to be protected, whether they are in contravention of the purposes for which the park is created or not.

I ask reconsideration of the vote by which the bill was passed.

The PRESIDENT pro tempore. Without objection—

Mr. FLETCHER. Mr. President, may I say to the Senator on that question that the amendments reported by the committee are to conform to the bill as it was reported by the House committee unanimously. The House has a similar bill, and the House committee amended it by putting in these provisions; and that is the way it stands in the House—reported by the committee, all favorable to it, with these amendments. So I have asked the Senate committee to accept those amendments, in order that if we pass the bill here, all they will have to do is to substitute it for the bill as it is reported in the House; and that is the object of these amendments. I do not see any objection to it, and I see no very great amount of good in the amendment, so far as that is concerned; but I think it does not interfere with the rights of the Indians, and it preserves this area and protects the rights that the Indians may have. I see no objection to the amendment; and it was asked by the House committee.

Mr. WALSH of Montana. Mr. President, I think if the Senator from Florida will reflect upon the matter for a moment, he will see that it contemplates that the Seminole Indians have some rights, or may have some rights, which are in conflict with the purposes to which the property is now to be devoted. If they have, those rights ought to be preserved, and not interfered with.

I regret the situation of which the Senator speaks, but I am very sure the Senate would not care to pass the bill in that way.

I move, Mr. President, that likewise the vote by which that amendment was adopted be reconsidered.

The PRESIDENT pro tempore. The Chair did not understand that unanimous consent had been given for the reconsideration of the vote whereby the bill was passed. The Chair understood the Senator from Florida to object.

Mr. FLETCHER. I have no objection to pursuing that course. The only thing is that it endangers the legislation, I think, in the House.

The PRESIDENT pro tempore. Very well. Then, without objection, the Senate recurs to the consideration of Senate bill 5410, Order of Business 1539.

Mr. FLETCHER. I may say to the Senator that it is not certain that there will be any Indians at all within this area, or any reservation within it. I do not think there is any risk—

Mr. WALSH of Montana. That may be true; but the bill contemplates that there will be.

Mr. FLETCHER. Well, there might be found to be.

The PRESIDENT pro tempore. The Senator from Montana now wishes a disagreement to the last amendment proposed by the committee?

Mr. WALSH of Montana. No; I move to amend the amendment by striking out the words "which are not in conflict with the purposes for which the Everglades National Park is created," so that the amendment will read:

*Provided further*, That nothing in this act shall be construed to lessen any existing rights of the Seminole Indians.

Mr. SWANSON. Mr. President, if the Senator will permit me, it seems to me that if we condemn land for a reservation or a park, Indians ought to be treated like other citizens, and if we take the land for those purposes we should pay them for it.

Mr. WALSH of Montana. Exactly.

Mr. SWANSON. This amendment says that their rights shall not be impaired if they are not in conflict with the purposes of the park. It seems to me that language means that their rights shall be preserved, but that the land shall be condemned and they shall be paid for it, as we pay anybody else.

Mr. WALSH of Montana. Oh, no. Their rights may be taken by condemnation, and so may any land within the park. Lands of whites may be taken by condemnation.

Mr. SWANSON. It seems to me that if that is done, if an Indian owned some land, we could not lessen his right to it at all. All the other land around there could be taken, except this piece of land that the Indian owns. We could



take that, if it is not in conflict with the purposes of the park, and keep it.

Mr. WALSH of Montana. Mr. President, I think the Senator is laboring under a misapprehension. The bill provides that the park shall not be created at all until the State of Florida acquires the title to all the land and transfers it to the United States. Of course, they will have to acquire Indians' lands, as well as lands of white people.

Mr. TRAMMELL. Mr. President, on April 7, 1926, and again on February 9, 1928, as disclosed by the records, I introduced in the Senate bills providing for investigation with a view to obtaining a national park for Florida. Following these bills introduced by me, subsequent bills introduced by my colleague, has brought us to the bill now on the calendar for the establishment of the Everglades National Park, with a favorable report from the Committee on Public Lands. I am glad to see this culmination following my first proposal, approximately five years ago, for the creation of a national park in Florida. The pending bill, introduced by my colleague [Senator FLETCHER], as a result of a favorable report made after an investigation under his bill approved March 2, 1929, calling for a survey of the territory embraced in the pending bill, should be passed.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### STATUE TO THE AMERICAN MOTHER

The Senate proceeded to consider the joint resolution (S. J. Res. 246) authorizing the placing in the Capitol of a statue in honor of the American mother and other patriotic women of the United States.

Mr. REED. Mr. President, I would like to ask the introducer of the joint resolution, or the Senator who reported it, whether he thinks that the preambles are quite in accordance with the practice of Congress in previous legislation? It seems to me the measure is rather queerly drafted, to say the least.

Mr. GOFF. Mr. President, I understand that the joint resolution in the first instance was drafted in accordance with the wishes and preferences of the Committee on the Library and it is also drafted according to the preceding practice in such matters.

We are not providing in this measure for the placing of this statue to the American mother and the patriotic women of America in any specially designated place in the Capitol, but the place is to be selected by the Architect of the Capitol and the chairmen of the respective Committees on the Library of the Senate and the House at the time the statue is ready for presentation. It is further provided that it is to cost the United States of America nothing, that the funds necessary for this statue are to be raised by private subscription, and at the proper time the chairmen of the committees and the architect will agree upon a place for it.

Mr. REED. I understand that; but does the Senator from West Virginia mean to have us understand that he was the author of the preambles?

Mr. GOFF. Mr. President, I can not say that I am the author of the preambles, but they are the preambles which the committee desired to have.

Mr. REED. The committee did not insert them; they must have been in the resolution as introduced.

Mr. GOFF. Will the Senator refer to the preamble to which he objects?

Mr. REED. I think all of them are rather exceptionable, and I was wondering whether the whole matter would not be improved by the excision of all the preambles. The resolution will be just as effective.

Mr. LA FOLLETTE. Let it go over, Mr. President.

The PRESIDENT pro tempore. The resolution will go over.

Mr. GOFF. Mr. President, just one moment. If the preambles are removed, do I understand that the Senator from Pennsylvania will object?

Mr. REED. I have not objected at all. I am merely looking for light.

Mr. LA FOLLETTE. I ask that the joint resolution may go over.

The PRESIDENT pro tempore. The joint resolution will be passed over.

#### FORT PECK INDIAN RESERVATION HIGH SCHOOL

The bill (S. 5535) to provide funds for cooperation with the school board at Frazer, Mont., in the construction of a high-school building to be available to Indian children of the Fort Peck Indian Reservation was announced as next in order.

Mr. WHEELER. Mr. President, I move that House bill 13293 be substituted for Senate bill 5535. The bills are identical.

The PRESIDENT pro tempore. Without objection, the House bill will be substituted for the Senate bill.

The Senate proceeded to consider the bill (H. R. 13293) to provide funds for cooperation with the school board at Frazer, Mont., in the construction of a high-school building to be available to Indian children of the Fort Peck Indian Reservation, which was ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of \$25,000 for the purpose of cooperating with the public-school board of district No. 2, town of Frazer, and county of Valley, Mont., in the construction of a public high-school building at Frazer, Mont.: *Provided*, That the expenditure of any money so appropriated shall be subject to the express conditions that the school maintained by the said school district in the said building shall be available to all Indian children of the Fort Peck Indian Reservation, Mont., on the same terms, except as to payment of tuition, as other children of the said school district, and that accommodations in said enlarged building to the extent of one-half its capacity shall be available for Indian children from the Fort Peck Reservation: *Provided further*, That such expenditures shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

The PRESIDENT pro tempore. Senate bill 5535 will be indefinitely postponed.

#### UNALLOTTED INDIAN LANDS

The Senate proceeded to consider the bill (H. R. 10425) to amend the act of June 6, 1912 (37 Stat. L. 125; U. S. C., title 25, sec. 425), entitled "An act authorizing the Secretary of the Interior to classify and appraise unallotted Indian lands," which had been reported from the Committee on Indian Affairs with an amendment, on page 4, line 2, to strike out the words "out of the funds held in trust for the particular Indian tribe affected" and insert the following language in lieu thereof: "out of the general funds of the Treasury not otherwise appropriated," so as to read:

*Be it enacted, etc.,* That the act of June 6, 1912 (37 Stat. L. 125; U. S. C., title 25, sec. 425), entitled "An act authorizing the Secretary of the Interior to classify and appraise unallotted Indian lands," be, and is hereby, amended by adding the following:

"Sec. 2. That the Secretary of the Interior is hereby authorized to certify to the Secretary of the Treasury the difference between the amounts paid as purchase money and interest by entrymen of any Indian lands opened to settlement and entry and the purchase money and interest which should have been paid at the price fixed as result of reappraisal by the Secretary of the Interior, in all cases whether patents had or had not issued at the time of the reappraisal: *Provided*, That the entryman or his legal representatives apply for reappraisal of the land or repayment of such amounts within two years from issuance of patent.

"Sec. 3. That in all cases where it shall appear to the satisfaction of the Secretary of the Interior that any person has heretofore or shall hereafter make any payments to the United States in connection with such entries, or purchases, of Indian lands in excess of the amount he was lawfully required to pay, such excess shall be repaid to such person or to his legal representatives: *Provided*, That the entryman or his legal representatives apply for repayment of such amounts within two years from issuance of patent.

"Sec. 4. That when the Commissioner of the General Land Office shall ascertain the amount due in any case where repayment is authorized by this statute, the Secretary of the Interior shall certify such amounts to the Secretary of the Treasury, who is hereby authorized and directed to make payment of such amounts so certified out of the general funds of the Treasury not otherwise appropriated."

The amendment was agreed to.



Mr. BRATTON. Mr. President, will the Senator from Montana, who reported the bill from the Committee on Indian Affairs, tell us in what way it amends existing law?

Mr. WHEELER. Mr. President, this is simply for a reclassification of the lands on the reservation.

Mr. BRATTON. It is a local matter?

Mr. WHEELER. Yes.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

#### CROW INDIAN RESERVATION, MONT.

The bill (H. R. 12871) providing for the sale of isolated tracts in the former Crow Indian Reservation, Mont., was considered, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the provisions of section 2455 of the Revised Statutes of the United States, as amended by the act of March 9, 1928 (45 Stat. L. 253; U. S. C., 2d supp., title 43, ch. 28, sec. 1171), be, and the same are hereby, extended and made applicable to lands within the portion of the Crow Indian Reservation, Mont., ceded by the act of March 3, 1891 (26 Stat. L. 1040).

#### HOSPITALIZATION OF PERSONS SERVING IN THE QUARTERMASTER CORPS

The Senate proceeded to consider the bill (H. R. 6997) to confer to certain persons who served in the Quartermaster Corps or under the jurisdiction of the Quartermaster General during the war with Spain, the Philippine insurrection, or the China relief expedition the benefits of hospitalization and the privileges of the soldiers' homes, which was read, as follows:

*Be it enacted, etc.,* That all persons who served in the Quartermaster Corps or under the jurisdiction of the Quartermaster General during the war with Spain, the Philippine insurrection, or the China relief expedition on vessels owned by the United States and engaged in the transportation of troops, supplies, ammunition, or materials of war, and who were discharged for disability incurred in such governmental service in line of duty, shall—

(1) Be entitled to the benefits provided for by paragraph (10) of section 202 of the World War veterans' act, 1924, as amended; and

(2) For the purpose of receiving the benefits of the Soldiers' Home, the National Home for Disabled Volunteer Soldiers, and the Naval Home, be held to have been honorably discharged from the military or naval forces of the United States.

Mr. REED. Mr. President, I think this bill ought to go either to the Finance Committee or to the Committee on Military Affairs. It changes the World War veterans' law, and it changes the law regarding the Soldiers' Home.

Mr. JOHNSON. Mr. President, I hope the Senator will not object to the bill. It comes from the House, where it was passed. It relates to very few people. Those few were injured in the discharge of their duties and have their discharges from the United States Government after service during that particular period. It is not a thing which will involve finances, and it is submitted that it ought to be passed.

Mr. WALSH of Massachusetts. Mr. President, I would like to inquire of the Senator how you can exclude those who worked in the Quartermaster's Department during the World War; why you confine these benefits to those who worked in the Quartermaster's Department during the war with Spain, the Philippine insurrection, and the China relief expedition.

Mr. JOHNSON. I imagine that the others are already included.

Mr. WALSH of Massachusetts. I understand not. Of course, this applies only to civilians. This does not apply to enlisted men.

Mr. JOHNSON. This does not apply to civilians, either. If the Senator will read the measure, he will see that it applies to those who served in this corps who were discharged for disability incurred in governmental service in the line of duty.

Mr. WALSH of Massachusetts. I had a request that the same provision be extended to those who performed like services in the World War.

Mr. JOHNSON. Assuredly I would not object to that, but that would be appropriate in another measure, perhaps. If this bill is delayed, of course we do not know where it will go ultimately, or whether it will ever become a law.

Mr. FLETCHER. Why are not these men admitted to these soldiers' homes now, under the present law?

Mr. JOHNSON. The very question the Senator suggests is the one which was first suggested by me when the matter was brought up; why should they be excluded? Here were men who were put into United States Army uniforms, taken charge of by United States Army officers, who served the United States Government, and in the line of their duty they were injured or hurt, and it is said that, being injured and hurt in the line of their duty, they are entitled to hospitalization.

I hold in my hand, for instance, a discharge of one of them, dated 1900. It is signed by the captain and assistant quartermaster and transport quartermaster, and the reason for discharge, which is an honorable discharge, is, "Hurt in the service."

Mr. FLETCHER. What surprised me was that there was any need of the legislation.

Mr. JOHNSON. The surprise to me was that they were not included under the existing law. It seemed to me incredible that they were not included.

Mr. KING. Mr. President, will the Senator yield?

Mr. JOHNSON. I yield.

Mr. KING. Do the words "Government service" imply military service? They might have been civilians and still have been in the governmental service.

Mr. JOHNSON. It is in line of duty, in governmental service.

Mr. COUZENS. Mr. President, will the Senator yield?

Mr. JOHNSON. I yield.

Mr. COUZENS. I wonder how the person whose discharge the Senator has was injured. The Secretary of War says that these individuals were engaged as a part of the civilian establishment, and had no military status.

Mr. JOHNSON. I recognize that the Secretary of War so says.

Mr. COUZENS. I wonder how this man to whom the Senator referred was injured.

Mr. JOHNSON. I do not know. It is not stated in his discharge. But here is the discharge, if the Senator desires to see it.

Mr. REED. Mr. President, if this bill is right in its present form, then I would like to know why the Committee on Pensions has eliminated the right of these individuals to any pensions.

Mr. JOHNSON. I do not know.

Mr. REED. I see by the letter of the Secretary of the Interior that that has been done, and having eliminated all pensions apparently the Committee on Pensions went on and gave them the right to hospitalization and entrance to the Soldiers' Home.

Mr. JOHNSON. Does not the Senator think it is a pretty small right?

Mr. REED. There are 7,000 of them, I believe.

Mr. JOHNSON. There are not, if the Senator will excuse me.

Mr. REED. I do not know, I have not counted them, but I am reading this from the report of the Secretary of the Interior. He says there are 7,000.

Mr. JOHNSON. There may have been 7,000, but those who were injured in the line of their duty amount to a very few, and that was demonstrated, I think, by the testimony taken before the House committee.

Mr. HEFLIN. Mr. President, will the Senator yield?

Mr. JOHNSON. I yield.

Mr. HEFLIN. What committee passed upon this?

Mr. JOHNSON. The Committee on Pensions.

Mr. HEFLIN. What amount is carried in the Senator's bill?

Mr. JOHNSON. It does not carry any amount of money. They are not allowed any pension. All that these men who were injured in the line of their duty, wearing the United States uniform, ask is, if they are still injured and if they are appropriate to be entered into a hospital, that they be given that care, nothing more.



Mr. HEFLIN. I think the Senator is right about the matter.

Mr. ASHURST. Mr. President, I have given this subject considerable thought, and I am in favor of the principles of this bill for the reasons advanced, amongst others, by the Senator from California [Mr. JOHNSON].

This bill does not propose pensions, but does propose hospitalization for those men, who, in some instances, endured much hardship and privation and frequently faced the perils and dangers of conflict.

Mr. KING. Mr. President, there were perhaps fifty to seventy-five thousand civilian employees in the War Department and in the Navy Department during the World War. Does the Senator from Arizona think those men ought to be hospitalized and have pensions, and how does he differentiate them from the cases which have been suggested?

Mr. ASHURST. Mr. President, I have not the time now to discuss that question, but I believe the Government should hospitalize every ill and disabled person in the United States who wore the uniform.

Mr. COUZENS. Mr. President, I desire to point out the difference that exists between this case and the case referred to by the Senator from Utah. These men were employed on vessels, and their work was more hazardous than that of those employed in the city of Washington.

Mr. JOHNSON. Mr. President, let me read just two lines of the report of the House:

Oral and documentary evidence was adduced showing that the men who manned the Government transports during the Spanish-American War were under war-time military discipline; they wore a uniform; they were subject to court-martial; and they received honorable discharges at the close of the war.

For the Senate to say that the men who thus served the United States Government and wore its uniform, and were injured in its service with that uniform upon them, shall not have any hospitalization, is a denial of all that has been said to-night, very beautifully said, about the generosity of the Republic.

The PRESIDENT pro tempore. The question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

#### NAVAL AIR STATION, SUNNYVALE, CALIF.

The bill (H. R. 6810) authorizing the Secretary of the Navy to accept, without cost to the Government of the United States, a lighter-than-air base, near Sunnyvale, in the county of Santa Clara, State of California, and construct necessary improvements thereon, was considered.

Mr. KING. Mr. President, may I have the attention of my friend from California?

Mr. JOHNSON. Certainly.

Mr. KING. Does the Senator think there ought to be a commitment of the Government now to an expenditure of \$5,000,000? I think the bill is a proper one, and I am very much in favor of it.

Mr. JOHNSON. The bill has now reached a stage where a very acute contest has finally been adjusted and all people are agreed. Sunnyvale has ultimately been selected as the base, and I trust the bill may pass.

The bill was ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Secretary of the Navy is hereby authorized to accept on behalf of the United States, free from encumbrance and without cost to the United States, a title in fee simple to such lands as he may deem necessary or desirable near Sunnyvale, in the county of Santa Clara, State of California, particularly described in a report made to the Congress of the United States by the Secretary of the Navy on December 5, 1929, to wit: One thousand acres as a site for a naval air station, and construct thereon improvements necessary and proper for a lighter-than-air base, at a cost not to exceed \$5,000,000.

#### ADDITIONAL DISTRICT JUDGE FOR MICHIGAN

The bill (H. R. 12350) to provide for the appointment of an additional district judge for the eastern district of Michigan was considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the President of the United States be, and he is hereby, authorized and directed to appoint, by and with the advice and consent of the Senate, an additional judge of the District Court of the United States for the Eastern District of Michigan.

#### SILVER-SERVICE SET—U. S. S. "FLORIDA"

The bill (H. R. 13522) authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the State of Florida the silver-service set donated to the U. S. S. *Florida* by the people of Florida was considered.

The bill had been reported from the Committee on Naval Affairs with an amendment, on page 1, to strike out "custody of and loan the State of Florida upon the request of the Governor of Florida, for preservation and exhibition, in the State museum, the silver-service set, which was donated to the U. S. S. *Florida* by the people of Florida" and insert in lieu thereof "Governor of the State of Florida, as custodian for such State, upon his request, the silver set presented by the State of Florida for the United States battleship *Florida*, now out of commission," so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Navy is authorized, in his discretion, to deliver to the Governor of the State of Florida, as custodian for such State, upon his request, the silver service set presented by the State of Florida for the U. S. S. *Florida*, now out of commission: *Provided*, That no expense shall be incurred by the United States for the delivery of such silver service set.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "An act authorizing the Secretary of the Navy, in his discretion, to deliver to the Governor of the State of Florida, as custodian for such State, upon his request, the silver-service set presented by the State of Florida for the U. S. S. *Florida*, now out of commission."

#### MARY R. DICKMAN

The bill (S. 5863) granting a pension to Mary R. Dickman was considered. The bill had been reported from the Committee on Pensions with an amendment, in line 10, to strike out "\$300" and insert "\$150" and in the same line after the word "month" to insert "in lieu of that she is now receiving," so as to make the bill read:

*Be it enacted, etc.,* That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary R. Dickman, widow of Major General Joseph Theodore Dickman, late commander of the Third Division, American Expeditionary Forces, and the Army of Occupation on the Rhine, retired 1921, and pay her a pension at the rate of \$150 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### BILL PASSED OVER

The bill (H. R. 2828) to protect trade-marks used in commerce, to authorize the registration of such trade-marks, and for other purposes, was announced as next in order.

Mr. KING. Over.

Mr. HEBERT. Mr. President, may I be permitted to make a statement concerning the bill? It is for the protection of trade-marks used in commerce.

Mr. KING. Mr. President, the Senator from Washington [Mr. DILL] is not here. He is very much interested in the bill. It will be impossible under the 5-minute rule to have this very important measure disposed of to-night. An objection was interposed for that reason.

Mr. HEBERT. I did not understand that there was objection made.

The PRESIDENT pro tempore. The Senator from Utah interposed an objection and the bill will go over.

#### ALEXANDER M. PROCTOR

The bill (S. 5555) for the relief of Alexander M. Proctor was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged



soldiers Alexander M. Proctor, late of Company B, Twenty-third Regiment United States Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of said company and regiment on the 1st day of May, 1878: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

#### STUDY OF BATTLEFIELDS IN VIRGINIA

The bill (H. R. 1408) to provide for the study, investigation, and survey, for commemorative purposes, of the Bull Run and Second Manassas Battlefields, in the State of Virginia, was considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the Secretary of War be, and he is hereby, authorized and directed to have made studies, investigations, and surveys of the Bull Run and Second Manassas battlefields in the State of Virginia, for the purpose of preparing and submitting to Congress a general plan and such detailed project as may be required for properly commemorating such battlefields and other adjacent points of historical and military interest, in accordance with the classification set forth in Senate Document No. 187, Seventieth Congress, second session.

SEC. 2. To enable the Secretary of War to carry out the provisions of this act, including the payment of mileage of officers of the Army and actual expenses of civilian employees traveling on duty in connection with the studies, investigations, and surveys, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$2,600, or so much thereof as may be necessary, to be expended for the purpose of this act.

#### AMMUNITION STOREHOUSE, FORT BENJAMIN HARRISON

The bill (H. R. 6867) to authorize appropriations for construction of a storehouse for ammunition at Fort Benjamin Harrison was considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That there is hereby authorized to be appropriated a sum not to exceed \$4,500 for the purpose of constructing two magazines in which to store ammunition at Fort Benjamin Harrison, Ind.

#### RIGHT OF WAY, SAN ANTONIO ARSENAL, TEX.

The bill (S. 6050) to authorize the Secretary of War to grant a right of way for street purposes upon and across the San Antonio Arsenal, in the State of Texas, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the Secretary of War be, and he is hereby, authorized to grant an easement for a right of way to the city of San Antonio, State of Texas, to construct and maintain a street to be known as Main Avenue, on the San Antonio Arsenal Military Reservation, Tex., on such terms and conditions as the Secretary of War may prescribe: *Provided*, That the construction and maintenance of said thoroughfare shall be without expense to the United States, and whenever the lands within said right of way shall cease to be used for street or highway purposes they shall revert to the United States.

#### ANGENORA HINES

The bill (H. R. 1612) for the relief of Angenora Hines was considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Joseph Hines, who was a member of Company E, Tenth Veteran Reserve Corps, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 23d day of March, 1864: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

#### MARTHA J. TONGUET

The bill (H. R. 1966) for the relief of Martha J. Tonguet was considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Larkin Tonguet, who was a member of Company F, Fifteenth Regiment Ohio Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 20th day of January, 1865: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

#### SERVICES OF MAJ. WALTER REED AND OTHERS

The bill (S. 2817) to amend an act entitled "An act to recognize the high public service rendered by Maj. Walter Reed and those associated with him in the discovery of the

cause and means of transmission of yellow fever," approved February 28, 1929, by including Roger P. Ames among those honored by said act was considered. The bill had been reported from the Committee on Military Affairs, with amendments, on page 2, line 1, to strike out "James A. Andrus" and insert "John H. Andrus," and the same amendment in line 12 and on page 3, line 19.

Mr. REED. Mr. President, I think the committee amendment is a mistake and that the man's correct name is "James A. Andrus." I was so informed by the Surgeon General's office to-day, although I have no letter to that effect. I ask that the committee amendment be disagreed to which proposes to change the name.

The amendment was rejected.

The next amendment of the Committee on Military Affairs was, on page 2, line 23, to strike out "authorized" and insert "authorized," so as to make the bill read:

*Be it enacted, etc.*, That the act entitled "An act to recognize the high public service rendered by Maj. Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever," approved February 28, 1929, be, and the same is hereby, amended by inserting between the names "Aristides Agramonte" and "James A. Andrus" the name "Roger P. Ames," so that the act as amended will read as follows:

"That in special recognition of the high public service rendered and disabilities contracted in the interest of humanity and science as voluntary subjects for the experimentations during the yellow-fever investigations in Cuba, the Secretary of War be, and he is hereby, authorized and directed to publish annually in the Army Register a roll of honor on which shall be carried the following names: Walter Reed, James Carroll, Jesse W. Lazear, Aristides Agramonte, Roger P. Ames, James A. Andrus, John R. Bullard, A. W. Covington, William H. Dean, Wallace W. Forbes, Levi E. Folk, Paul Hamann, James F. Hanberry, Warren G. Jernegan, John R. Kissinger, John J. Moran, William Olsen, Charles G. Sonntag, Clyde L. West, Dr. R. P. Cooke, Thomas M. England, James Hildebrand, and Edward Weatherwalks, and to define in appropriate language the part which each of these persons played in the experimentations during the yellow-fever investigations in Cuba; and in further recognition of the high public service so rendered by the persons hereinbefore named, the Secretary of the Treasury is authorized and directed to cause to be struck for each of said persons a gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary of the Treasury, and to present the same to each of said persons as shall be living and posthumously to such representatives of each of such persons as shall have died, as shall be designated by the Secretary of the Treasury. For this purpose there is hereby authorized to be appropriated the sum of \$5,000; and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such amounts annually as may be necessary in order to pay to the following-named persons during the remainder of their natural lives the sum of \$125 per month, and such amount shall be in lieu of any and all pensions authorized by law for the following-named persons: Pvt. Paul Hamann; Pvt. John R. Kissinger; Pvt. William Olsen, Hospital Corps; Pvt. Charles G. Sonntag, Hospital Corps; Pvt. Clyde L. West, Hospital Corps; Pvt. James Hildebrand, Hospital Corps; Pvt. James A. Andrus, Hospital Corps; John R. Bullard; Dr. Aristides Agramonte; Pvt. A. W. Covington, Twenty-third Battery, Coast Artillery Corps; Pvt. Wallace W. Forbes, Hospital Corps; Pvt. Levi E. Folk, Hospital Corps; Pvt. James F. Hanberry, Hospital Corps; Dr. R. P. Cooke; Pvt. Thomas M. England; John J. Moran, and the widow of Pvt. Edward Weatherwalks."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend an act entitled 'An act to recognize the high public service rendered by Maj. Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever,' approved February 28, 1929, as amended, by including Roger P. Ames among those honored by the act."

Mr. REED subsequently said: Mr. President, I have misled the Senate with a statement that I made when we were considering Senate bill 2817, which related to the survivors of those men who underwent the yellow-fever experiment in Cuba. I said that the name of Andrus was incorrectly given in the committee amendments. It seems that I was wrong. The committee amendments give Andrus's name correctly. I ask unanimous consent that we may return to that bill, reconsider it, and agree to the committee amendments.

The PRESIDENT pro tempore. Without objection, the Senate recurs to the consideration of Order of Business No. 1560, Senate bill 2817. Without objection, the committee



amendments are agreed to; and, without objection, the bill, as amended, is regarded as having passed through its various parliamentary stages and passed.

ARTHUR W. TAYLOR

The bill (H. R. 2312) for the relief of Arthur W. Taylor was considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Arthur W. Taylor, who was a member of Battery K, Third United States Artillery, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of that organization on the 16th day of August, 1899: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

LEO B. THOME

The bill (H. R. 2315) for the relief of Leo B. Thome was considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Leo B. Thome, who served in Company G, Sixth Regiment United States Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 20th day of October, 1901: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

CARLTON OLIN

The bill (H. R. 5787) for the relief of Carlton Olin, otherwise known as Stephen Cebra, was considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Carlton Olin, who was a member of Battery B, Fourth Regiment United States Artillery, having enlisted under the name of Stephen Cebra, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a private of that organization on the 2d day of November, 1865: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

EDWARD KNIGHT

The bill (H. R. 11132) for the relief of Edward Knight was considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Edward Knight, who was a member of Company E, Ninth Regiment United States Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of that organization on the 19th day of September, 1907: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

CHARLES F. REILLY

The bill (H. R. 1884) for the relief of Charles F. Reilly was considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That in the administration of the pension laws Charles F. Reilly, late of Company D, Ninth Regiment United States Infantry, and Army Service Detachment, West Point, N. Y., shall hereafter be held to have been honorably discharged from service in the military forces of the United States on December 18, 1902, and July 25, 1917, respectively: *Provided,* That no pension, bounty, pay, or other emolument shall accrue prior to the enactment of this act.

HARRY HAMLIN

The bill (H. R. 477) for the relief of Harry Hamlin was considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Harry Hamlin, who was a member of Troop H, Fourth Regiment United States Cavalry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 28th day of September, 1903: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

#### LANDS IN GILA RIVER INDIAN RESERVATION, ARIZ.

The bill (S. 5313) to cancel certain reimbursable charges against certain lands within the Gila River Indian Reserva-

tion, Ariz., was considered. The bill had been reported from the Committee on Indian Affairs with amendments, on page 3, line 2, after the numerals "\$87,000," to insert "which expenditures in the amount stated shall remain reimbursable but hereafter shall remain chargeable only against the unallotted lands of the Gila River Indian Reservation," and in line 9 to strike out "amounts stated shall remain reimbursable but hereafter shall be a charge only against the allotted lands of the Gila River Indian Reservation"; and lands thereof not included in the San Carlos project," and insert in lieu thereof "amount so valued shall remain reimbursable and charged against the allotments on the said Gila River Indian Reservation not included in the San Carlos project," so as to make the bill read:

*Be it enacted, etc.,* That all allotments and other lands comprised in the Gila River Indian Reservation which the Secretary of the Interior shall designate to be permanently included in and irrigated under the San Carlos project are hereby relieved of all liens for the reimbursement to the United States of moneys expended and reimbursable as provided in section 10 of the act of March 3, 1905 (33 Stat. 1081), or in section 2 of the act of August 24, 1912 (37 Stat. 522), or acts amendatory thereof or supplementary thereto as to such expenditures made prior to the passage of the San Carlos act (43 Stat. 475-476), except those made under that part of the act of May 18, 1916 (39 Stat. 123-130), and acts amendatory thereof or supplementary thereto which provides for the construction of the dam above Florence, Ariz., and controlling works and canals which constitute the Florence Casa Grande project; and except further the \$100,000 expended for an electric transmission line and rights to electrical energy from the Salt River Valley irrigation project.

Sec. 2. That all expenditures of moneys for or in connection with the Gila River Indian Reservation made reimbursable as provided in said acts of March 3, 1905, or August 24, 1912, or acts amendatory thereof or supplementary thereto, as described in section 1 hereof with the exception there made of moneys expended for the Florence Casa Grande project and for the electrical transmission line and electrical energy, including the expenditures made for the Sacaton bridge and dam valued as a bridge at \$300,000, are hereby waived and not required to be paid or reimbursed to the United States, except the expenditures made for the purposes and in the amounts as follows: That part of the Sacaton bridge and dam which is a siphon, valued at \$75,000; the Santan and Casa Blanca canals and other works on the reservation north of the railroad which crosses the river below Sacaton, valued at \$87,000, which expenditures in the amount stated shall remain reimbursable but hereafter shall remain chargeable only against the unallotted lands of the Gila River Indian Reservation; and the irrigation works for taking and distributing water from the Gila and Salt Rivers below said railroad as the Secretary of the Interior shall value them at sums aggregating not more than \$50,000, which expenditures in the amount so valued shall remain reimbursable and charged against the allotments on the said Gila River Indian Reservation not included in the San Carlos project.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FRANCIS J. MOORE

The bill (H. R. 6544) for the relief of Francis J. Moore was considered, read the third time, and passed, as follows:

*Be it enacted, etc.,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Francis J. Moore, who was a member of Company G, Second Regiment United States Veteran Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of that organization on the 2d day of March, 1866: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

CHANCY L. MCINTYRE

The bill (H. R. 542) for the relief of Chancy L. McIntyre was considered, read the third time, and passed, as follows:

*Be it enacted, etc.,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Chancy L. McIntyre, who was a member of the Medical Department, Regular Army of the United States of America, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a private of that organization on the 2d day of March, 1926: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

#### CONSTRUCTION OF RURAL POST ROADS

The bill (S. 5499) to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes,"



approved July 11, 1916, as amended and supplemented, and for other purposes, was considered and was read as follows:

*Be it enacted, etc.,* That section 6 of the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916 (39 Stat. L. 355), and acts amendatory thereof and supplementary thereto, is further amended so that the limitation of payments per mile which the Secretary of Agriculture may make shall apply solely to the roadway surfacing or pavement and shall not exceed \$7,500 per mile for each traffic lane 10 feet in width of such roadway surfacing or pavement and pro rata per mile according to width of each such traffic lane less than 10 feet in width, but Federal funds shall not be expended in constructing any roadway surfacing or pavement of more than four traffic lanes each 10 feet in width.

SEC. 2. All acts or parts of acts in any way inconsistent with the provisions of this act are hereby repealed, and this act shall take effect on its passage.

Mr. KING. Mr. President, I would like an explanation of the bill.

Mr. HAYDEN. Mr. President, this is a bill recommended by the Bureau of Public Roads. It changes the limitation of expenditure per mile on highways so as to make wider roads possible of construction. It does not in any manner affect the expenditure of Federal-aid road funds. The cooperation of the States must be the same. In the eastern States it has been found that at least a 4-track roadway is necessary and this permits the expenditure to be made by raising the limitation.

Mr. PITTMAN. Mr. President, the bill really forms another definition to guide the expenditures and limitations. It provides that not more than \$7,500 per mile may be expended on each width of 10 feet and that the limitations of width shall be 40 feet. The limitation should be had.

Mr. ODDIE. Mr. President, I ask that the report of the committee on the bill be printed in the Record.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The report is, as follows:

[Senate Report No. 1518, Seventy-first Congress, third session]

#### FEDERAL AID FOR RURAL POST ROADS

Mr. PHIPPS from the Committee on Post Offices and Post Roads, submitted the following report (to accompany S. 5499).

The Committee on Post Offices and Post Roads, to whom was referred the bill (S. 5499) to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes, having considered the same, reports favorably thereon and recommends that it do pass.

This measure would amend the original Federal highway act so that the limitation of payments per mile which the Federal Government may make shall apply solely to the roadway surfacing or pavement and shall not exceed \$7,500 per mile for each traffic lane, 10 feet in width, of roadway surfacing or pavement. It is provided, however, that Federal funds shall not be expended in constructing any roadway surfacing or pavement of more than four traffic lanes, each 10 feet in width.

The present absolute limitation of \$15,000 per mile has proved of serious disadvantage to a number of States and to the development of the Federal-aid highway system. Such disadvantages have not been confined to any particular section of the country, but have appeared in all States having mountainous, hilly, or swampy sections, as well as States of dense population.

A favorable report on the proposed legislation has been submitted by the Secretary of Agriculture, as follows:

DEPARTMENT OF AGRICULTURE,  
Washington, D. C., February 6, 1931.

HON. LAWRENCE C. PHIPPS,  
Chairman Committee on Post Offices and Post Roads,  
United States Senate.

DEAR SENATOR: Receipt is acknowledged of your letter of January 6, transmitting a copy of S. 5499, with request for a statement of the department's views relative thereto.

This bill would amend section 6 of the Federal-aid road act of July 11, 1916, as heretofore amended and supplemented, so as to make the limitation of payments per mile which the Secretary of Agriculture may make on Federal-aid projects apply solely to the roadway surfacing or pavement and not exceed \$7,500 per mile for each traffic lane 10 feet in width of such roadway surfacing or pavement and pro rata per mile according to width of each such traffic lane less than 10 feet in width. It also would prohibit the expenditure of Federal funds in constructing any roadway surfacing or pavement of more than four traffic lanes each 10 feet in width.

The effect of the bill would be to confine the limitation of payments per mile to the surfacing or pavement on a project and make the grading and drainage structures subject only to the provision that Federal payments shall not exceed 50 per cent of

the cost. In other words, under the language of the proposed amendment the Federal Government could pay on a given project 50 per cent of the cost of the grading and drainage structures plus 50 per cent of the cost of any bridge of more than 20 feet clear span and plus \$7,500 per mile for each traffic lane 10 feet in width of roadway surfacing or pavement, not exceeding, however, 4 traffic lanes of surfacing or pavement each 10 feet in width.

The present limitation of \$15,000 per mile which the Secretary of Agriculture may make under the provisions of the Federal-aid road act, as amended, has operated to the serious disadvantage of the work in a number of States. This is true as to projects requiring heavy grading or numerous drainage structures as well as those requiring wide pavements or roadway surfacing in order to accommodate the traffic. Its disadvantage, therefore, has not been confined to any particular section of the country but has proven an obstacle in all States in which mountainous, hilly, or swampy country has been encountered as well as States of dense population where roadway surfacing or pavement of extraordinary widths have been required by traffic. In fact, in some States the cost of projects has been so great per mile and the Federal share of \$15,000 has been so small that the State has been required to use so much of its own funds to meet the State's share of the cost of such projects that difficulty has been encountered in finding suitable projects to absorb all of the State's apportionment of Federal-aid funds. This has been particularly true in States like Connecticut, Massachusetts, New York, Rhode Island, and Delaware.

It, therefore, is the view of the department that the proposed legislation is very desirable. In this connection, it is suggested that the present limitation of \$15,000 per mile imposed upon the Federal expenditure does not result in any larger mileage of improved roads being constructed in the States for the very obvious reason that in the case of a project on which the Federal share is limited to \$15,000 per mile and the remaining share exceeds \$15,000 per mile the State is required to use up its own available funds in taking care of the excess of its share of the cost over the Federal share and is that much less able to meet the Federal funds on other Federal-aid projects or construct other portions of the State highways without Federal funds. In other words, the present limitation of \$15,000 per mile in no wise augments the highway funds available for expenditure within a State.

The department, therefore, would recommend favorable action on the bill.

Sincerely,

ARTHUR M. HYDE, Secretary.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN H. LAWLER

The bill (H. R. 465) for the relief of John H. Lawler, was considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, John H. Lawler, who was a member of the Hospital Corps, United States Army, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 26th day of March, 1899: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

SAMUEL B. FAULKNER

The bill (H. R. 474) for the relief of Samuel B. Faulkner, was considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Samuel B. Faulkner, who was a member of Company E, Third Regiment Kentucky Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 21st day of April, 1899: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

BOULDER CITY TOWN SITE

Mr. ODDIE. Mr. President, I ask unanimous consent to return to the consideration of Calendar 1416, the bill (S. 5797) authorizing the establishment of Boulder City town site, and necessary expenditures in connection therewith, and for other purposes. The Senator from California has agreed to withdraw his objection.

Mr. JOHNSON. Mr. President, I made the objection to that particular bill when it was called on the calendar and I now withdraw the objection.

There being no objection, the bill (S. 5797) authorizing the establishment of Boulder City town site, and necessary expenditures in connection therewith, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:



*Be it enacted, etc.,* That in connection with the town site to be known as Boulder City, Nev., the establishment of which is a necessary incident to the construction of the Hoover Dam, the power plant, and other works authorized by the Boulder Canyon project act of December 21, 1928 (45 Stat. 1057), the Secretary of the Interior is authorized and empowered to lease for a period not exceeding 20 years, with privilege of renewal from time to time, at prices to be fixed by him, to any person, corporation, or company he may authorize to transact business or to reside in said town site, lots or parcels of land of such size as he may determine to be advisable, and other available rights and facilities, to be used for such purposes and under such terms and conditions as the said Secretary may prescribe. Every lease shall require the lessee to observe and to obey each and every provision of any act of Congress and of every valid rule, regulation, or order made or to be made and published by the Secretary of the Interior concerning the use, care, and management of said town site and the Government property situate therein. All leases shall be subject to the right of revocation and forfeiture, which shall be therein expressly reserved by the Secretary of the Interior. The provisions of this section are not to be regarded as mandatory upon the Secretary of the Interior, but the authority conferred is to be exercised in his sound discretion.

SEC. 2. All revenues received from the lease of lots or parcels of land and for the granting of any privilege whatsoever to be exercised by any person, corporation, or company in said town site shall be covered into the Colorado River Dam fund, to be disbursed under the direction of the Secretary of the Interior as authorized by the said Boulder Canyon project act.

SEC. 3. The Secretary of the Interior is authorized to use funds appropriated and available for the construction of the Boulder Canyon project for the laying out, planning, and development of said town site; for the construction, repair, and maintenance of sidewalks, sewers, and streets, and such buildings and other facilities of whatever kind the Secretary of the Interior may find to be needed in connection with said town site; for providing and operating a municipal water supply; for the construction and maintenance of office quarters, garages, an auditorium, recreational grounds and facilities, hospital, residences, dormitories, mess houses, and other necessary facilities for the accommodation of Government employees and others; for the construction and maintenance of such school building or buildings as may be found necessary in the judgment of the Secretary of the Interior, and for all required surveys and other incidental expenses connected with such activities.

#### STATUE IN HONOR OF AMERICAN MOTHERS

Mr. GOFF. Mr. President, I ask unanimous consent to recur to Calendar No. 1541, the joint resolution, Senate Joint Resolution No. 246, and I state that the Senators who objected to it have withdrawn their objection providing certain amendments are adopted and the preamble is stricken out. As the introducer of the joint resolution, I have no objection.

The PRESIDENT pro tempore. Without objection, the Senate recurs to the consideration of Calendar 1541, and the Senator from West Virginia proposes certain amendments, which will be stated.

The amendments were on page 2, line 4, to strike out the words "the mothers and other patriotic women of the United States" and insert "American mothers"; and in line 7 to strike out the words "as founded by Anna Jarvis of Philadelphia, Pa.," so as to make the joint resolution read:

*Resolved, etc.,* That there shall be placed in the National Capitol, in honor of American mothers, a statue representing the typical American woman, which shall be dedicated on a future Mother's Day, the second Sunday in May. The design and specifications of such statue shall be subject to the approval of the National Commission of Fine Arts and the statue shall be erected at such place in the Capitol as the Architect of the Capitol and the Joint Committee on the Library, acting jointly, may select. The United States shall be put to no expense in or by the erection of such statue.

The amendments were agreed to.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was stricken out.

The title was amended so as to read: "A joint resolution authorizing the placing in the Capitol of a statue in honor of American mothers."

#### ARTHUR J. ROBINSON

The bill (S. 2615) for the relief of Arthur J. Robinson was considered. The bill had been reported from the Committee on Military Affairs with an amendment on page 1, line 8, after the numerals "1903" to strike out "and the discharge certificate granted to said Arthur J. Robinson on December 12, 1927, shall be disregarded: *Provided, That no pension,*

pay, or bounty shall be held to have accrued by reason of this act prior to its passage," and to insert in lieu thereof, "*Provided, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act,*" so as to make the bill read:

*Be it enacted, etc.,* That in the administration of the pension laws or any laws conferring rights, privileges, or benefits upon persons honorably discharged from the United States Army Arthur J. Robinson shall be held and considered to have been honorably discharged as an unassigned recruit, United States Army, on January 18, 1903: *Provided, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.*

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### LOWELL G. FULLER

The bill (H. R. 397) for the relief of Lowell G. Fuller was considered, read the third time, and passed, as follows:

*Be it enacted, etc.,* That in the administration of the pension laws and laws conferring rights and privileges upon honorably discharged soldiers, sailors, and marines, their widows and dependent relatives, Lowell G. Fuller shall hereafter be held and considered to have been honorably discharged March 30, 1899, from the military service of the United States in his final service as an electrician sergeant of the post noncommissioned staff United States Army, Fort Monroe, Va.: *Provided, That no pension, bounty, pay, or other emoluments shall accrue prior to the passage of this act.*

#### WILLIAM BEFUHS

The bill (H. R. 6197) for the relief of William Befuhs (deceased), otherwise known as Charles Cameron, was considered, read the third time, and passed, as follows:

*Be it enacted, etc.,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers William Befuhs (deceased), otherwise known as Charles Cameron, who was a member of Company B, Twenty-eighth Regiment Massachusetts Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 31st day of March, 1864: *Provided, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.*

#### BILL PASSED OVER

The bill (S. 4775) to provide for the incorporation of credit unions within the District of Columbia was announced as next in order.

Mr. VANDENBERG. Over.

The PRESIDENT pro tempore. The bill will be passed over.

#### SUNDAY CLOSING OF BARBER SHOPS IN DISTRICT OF COLUMBIA

The bill (S. 6077) providing for the closing of barber shops on Sunday in the District of Columbia was considered and read.

Mr. BLEASE. Mr. President, I move to amend the bill, on page 2, line 6, by striking out the words "but nothing in this act shall be construed to apply to persons who actually refrain from the practice of such occupation or trade on Saturday solely because of religious beliefs." I think the author of the bill will accept the amendment.

Mr. COPELAND. I am glad to accept it.

The amendment was agreed to.

Mr. BLEASE. I move further to amend the bill, on page 2, line 12, by striking out "\$20" and inserting "\$100."

The amendment was agreed to.

Mr. SHORTRIDGE. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. COPELAND. Mr. President, may I ask who objected? The PRESIDENT pro tempore. The Senator from California.

Mr. COPELAND. Mr. President, I think that when practically every barber in the District, and I have here a petition signed I daresay by 99 per cent of the barbers, wants a day off we ought to recognize their right to have one day in seven. The bill is hinged wholly upon health. We have refrained from reference to making it a Sunday closing bill in the ordinary sense, but certainly while men work as these men do seven days in the week we know that they are undermining their health. It is a bill which should be passed. I



hope Senators who objected to the consideration of the bill will withdraw their opposition. We have had the labor organizations and various Adventists and others before us, and we have tried to formulate a bill which is a proper bill.

Mr. BARKLEY. Mr. President—

The PRESIDENT pro tempore. The Senator from Kentucky.

Mr. BARKLEY. Do barber shops in the District of Columbia, as a rule, stay open on Sunday?

Mr. COPELAND. They do; yes.

Mr. BARKLEY. In my travels around over the District I have not observed that to be the case generally. I have seen only a few of them open. Is it a general practice?

Mr. COPELAND. Many barber shops are open until 12 o'clock on Sunday.

Mr. BLEASE. Mr. President, I will state for the benefit of the Senator from Kentucky that the gentleman who came to see me about the bill said that all the white barbers and all the colored barbers had signed a petition asking for the passage of this bill, with the exception of one, and he refused to sign because he said his wife would not let him stay at home on Sunday in any peace. [Laughter.]

Mr. COPELAND. I do not know how firmly founded the opposition is to the bill, but I very much wish that it might be permitted to become a law.

The PRESIDENT pro tempore. The Chair does not hear the Senators who objected withdraw their objection.

Mr. COPELAND. Mr. President, will the RECORD show what Senators objected?

The PRESIDENT pro tempore. The RECORD always shows that or it shows that several Senators objected, and the bill goes over.

Mr. COUZENS. I think the junior Senator from California [Mr. SHORTRIDGE] and myself both objected, because it is perfectly obvious that barber shops let their men off one day a week, whether the barber shops are closed on Sunday or not. I know that the shops are open on Sunday, and they have to be open on Sunday, but every one of the barbers gets off once a week, whether the barber shops are closed on Sunday or not.

Mr. BRATTON. Regular order, Mr. President.

Mr. KING. Regular order!

The PRESIDENT pro tempore. The regular order is demanded. The next bill on the calendar will be stated.

Mr. COPELAND subsequently said: Mr. President, the Senators who objected to Order of Business 1577, being Senate bill 6077, are willing to withdraw their objection.

Mr. SHORTRIDGE. Mr. President, I will withdraw the objection, but I wish to remark that I did not understand the scope or meaning of certain amendments that had been offered and, I believe, agreed to. I refer particularly to the amendment offered by the Senator from South Carolina [Mr. BLEASE]. I vaguely recall that they had something to do with excepting barber shops conducted by certain citizens who might object to this bill because of religious faith. May I inquire as to the scope and purpose of the amendments that were agreed to?

Mr. BLEASE. Mr. President, I will be glad to state to the Senator from California that the bill in its original form provided that those barbers who do not work on Saturday might open their shops on the Sabbath. That seemed to me to be punishing a man who believes in Jesus Christ, and I said I could not support a bill that would do that. My amendment strikes that provision out, and leaves the bill to apply to all alike.

Mr. SHORTRIDGE. Does it recognize religious freedom?

Mr. BLEASE. As it is now it does, but it did not do so previously.

Mr. SHORTRIDGE. If it recognizes religious freedom and recognizes the right of men to work on Sunday who perhaps because of their religious faith do not labor on Saturday, for example, I am satisfied.

Mr. BLEASE. The bill as amended applies to all people. A barber can go to a man's house and shave him, or he can go to his hotel and shave him, but the barber shops can not be kept open to the public generally.

Mr. SHORTRIDGE. Well, I am still more confused.

Mr. COPELAND. I understand the objection has been withdrawn.

The PRESIDENT pro tempore. The objection is withdrawn.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

#### FEDERAL AID IN CONSTRUCTION OF RURAL POST ROADS

The bill (S. 5209) to amend section 4 of the act entitled "An act to amend the act entitled 'An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes,' approved July 11, 1916, as amended and supplemented, and for other purposes," approved May 21, 1928, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the proviso of section 4 of the act entitled "An act to amend the act entitled 'An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes,' approved July 11, 1916, as amended and supplemented, and for other purposes," approved May 21, 1928, is hereby repealed.

#### DISTRICT ADULT TUBERCULOSIS HOSPITAL

The Senate proceeded to consider the bill (S. 5984) to authorize the construction of a sanatorium for adult tuberculosis patients on the tract of land acquired by the Commissioners of the District of Columbia by authority of an act of Congress approved March 1, 1929, entitled "An act to provide for the construction of a children's tuberculosis sanatorium," as amended by an act of Congress approved April 18, 1930, which had been reported from the Committee on the District of Columbia, with amendments, on page 2, line 1, after the word "at," to strike out "Randall" and insert "Randle"; and in line 2, after the name "Prince," to strike out "George" and insert "Georges"; so as to make the bill read:

*Be it enacted, etc.,* That the Commissioners of the District of Columbia are authorized to reserve for the construction of a sanatorium for adult tuberculosis patients a portion of the tract of land comprising 216 acres, more or less, located on the Defense Highway at Randle Station, Prince Georges County, Md., acquired by authority of an act of Congress approved March 1, 1929, entitled "An act to provide for the construction of a children's tuberculosis sanatorium," as amended by an act of Congress approved April 18, 1930, the area and location of the portion so reserved to be determined by said commissioners; and that said commissioners are further authorized to cause to be constructed, on the portion so reserved, in accordance with plans and specifications approved by them, suitable buildings and structures, for use as a tuberculosis sanatorium for adults, including necessary approaches and roadways, heating and ventilating apparatus, furniture, equipment, and accessories.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### PENSIONS AND INCREASE OF PENSIONS

The Senate proceeded to consider the bill (H. R. 16626) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, etc., and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, which had been reported from the Committee on Pensions with amendments.

The first amendment of the Committee on Pensions was, on page 1, line 8, after the words "rate of," to strike out "\$30" and insert "\$20," so as to read:

The name of Emma W. Rice, widow of Eli Rice, late of Company F, Second California Cavalry, Indian wars, and pay her a pension at the rate of \$20 per month.

The amendment was agreed to.

The next amendment was, on page 2, line 13, after the words "per month," to insert "in lieu of that he is now receiving," so as to read:

The name of Warren J. Coleman, late of Battery E, Fourth United States Field Artillery, Regular Establishment, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The amendment was agreed to.



The next amendment was, on page 3, after line 4, to strike out:

The name of Nancy Ann Whitehead, widow of James Whitehead, late of Capt. James A. Thomson's Company of Stoddard and Dunklin Counties, Volunteer Missouri Militia, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

The next amendment was, on page 6, line 24, after the words "rate of," to strike out "\$24" and insert "\$20," so as to read:

The name of John L. Baxter, late of the Quartermaster Department, United States Army, Indian wars, and pay him a pension at the rate of \$20 per month.

The amendment was agreed to.

The next amendment was, on page 10, line 8, after the words "rate of," to strike out "\$12" and insert "\$24," and in the same line, after the words "per month," to insert "in lieu of that he is now receiving," so as to read:

The name of Edward E. Harding, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 21, after line 21, to strike out:

The name of John F. Graper, late of the Thirteenth Company, United States Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 22, line 3, after the words "rate of," to strike out "\$30" and insert "\$20," so as to read:

The name of Mary V. Thorne, widow of Thomas A. Thorne, late of Company H, First Pennsylvania Infantry, war with Spain, and pay her a pension at the rate of \$20 per month.

The amendment was agreed to.

The next amendment was, on page 23, line 5, after the words "rate of," to strike out "\$20" and insert "\$12," so as to read:

The name of George E. Stevens, late of Company F, Twenty-sixth Regiment, United States Infantry, Regular Establishment, and pay him a pension at the rate of \$12 per month, said pension to be paid to a duly appointed guardian.

The amendment was agreed to.

The next amendment was, on page 23, line 18, after the words "per month" to insert a comma and "and \$6 per month additional for minor child until 16 years of age," so as to read:

The name of Jessie Murdock, widow of Thomas H. Murdock, late of Company I, Seventh Regiment Ohio Infantry, war with Spain, and pay her a pension at the rate of \$20 per month, and \$6 per month additional for minor child until 16 years of age.

The amendment was agreed to.

The next amendment was, on page 25, line 3, after the words "rate of" to strike out "\$20" and insert "12," so as to read:

The name of August Bemmerer, late of Company F, Nineteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The amendment was agreed to.

The next amendment was, on page 26, line 15, after the word "respectively" to insert a comma and "in lieu of that she is now receiving," so as to read:

The name of Nina E. Mehlberg, widow of Henry A. Mehlberg, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of \$20 per month with \$2 per month additional for the minor children of the sailor until they shall attain the age of 16 years, respectively, in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 26, line 22, before the words "per month," to strike out "\$20" and insert "\$12," so as to read:

The name of Grace Fay Lobben, widow of Peter S. Lobben, late of Company H, Twelfth Regiment Minnesota Infantry, war with Spain, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

The next amendment was, on page 28, line 8, after the words "rate of," to strike out "\$12" and insert "\$20," so as to read:

The name of Alexander E. Brown, late of Company B, First Massachusetts Heavy Artillery, war with Spain, and pay him a pension at the rate of \$20 per month.

The amendment was agreed to.

The next amendment was, on page 29, line 7, after the words "rate of," to strike out "\$20" and insert "\$12," so as to read:

The name of Foolish Bear, alias Standing Bear, late scout, United States Army, Indian wars, and pay him a pension at the rate of \$12 per month.

The amendment was agreed to.

The next amendment was, at the top of page 34, to strike out:

The name of Carl W. Jansson, late of the United States Navy, war with Spain, and pay him a pension at the rate of \$12 per month.

The amendment was agreed to.

The next amendment was, on page 34, line 18, after the words "rate of," to strike out "\$24" and insert "\$17," so as to read:

The name of Early G. Rodgers, late of Battery E, Eleventh Regiment United States Field Artillery, Regular Establishment, and pay him a pension at the rate of \$17 per month.

The amendment was agreed to.

The next amendment was, on page 36, line 14, after the words "rate of," to strike out "\$30" and insert "\$20," so as to read:

The name of Maggie Gaddy, widow of Frank A. Gaddy, late of the Sixteenth Company, United States Volunteer Signal Corps, war with Spain, and pay her a pension at the rate of \$20 per month.

The amendment was agreed to.

The next amendment was, on page 38, line 2, after the words "rate of," to strike out "\$12" and insert "\$20," so as to read:

The name of Emma Straub, dependent mother of Charles E. Straub, late of Company G, Fourth Regiment United States Infantry, war with Spain, and pay her a pension at the rate of \$20 per month.

The amendment was agreed to.

The next amendment was, on page 39, line 17, after the word "respectively" to insert a comma and "in lieu of that she is now receiving," so as to read:

The name of Grace A. Mael, widow of Robert L. Mael, late of Company E, Second Missouri Infantry, National Guard, Regular Establishment, and pay her a pension at the rate of \$20 per month, with \$2 per month additional for each minor child of the soldier until they shall attain the age of 16 years, respectively, in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 39, after line 18, to insert:

The name of Emilio DuBois, late of Ninety-first Observation Squadron, United States Army, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The name of John L. Tenney, late of Geronimo Campaign of 1886, and pay him a pension at the rate of \$12 per month.

The name of Frank C. Goings, late of Company I, Second Regiment United States Infantry, and pay him a pension at the rate of \$12 per month.

The name of Guy McLean, late of Company C, First Regiment United States Cavalry, and pay him a pension at the rate of \$12 per month.

The name of John J. Powers, late of Fortieth Company, United States Coast Artillery, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of Robert C. Hambrick, late of Company F, Twenty-seventh Regiment United States Infantry, and pay him a pension at the rate of \$17 per month.

The name of Maude Corn, widow of Lee B. Corn, late of Company F, Texas Frontier Battalion, and pay her a pension at the rate of \$20 per month.

The name of Lynn G. Pierce, late of Company F, Second Regiment Nebraska National Guard, and pay him a pension at the rate of \$12 per month.

The name of Bramble B. Ownby, late of Captain Black's company, New Mexico Territorial Militia, and pay him a pension at the rate of \$12 per month.



The name of Frank A. Benedict, late of W. A. Clark's company, Montana Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

The name of Mary Riggen, widow of Loring W. Riggen, late of Company F, Fortieth Regiment United States Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Robert S. Cox, dependent father of Robert B. S. Cox, late of Company L, Tenth Regiment United States Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The name of William H. Wheeler, late of Company F, Eighth Regiment United States Infantry, and pay him a pension at the rate of \$10 per month.

The name of Truman H. Wilkinson, late of Company A, instruction, general service, United States Army, and pay him a pension at the rate of \$12 per month.

The name of Sophie Alexander, widow of Lee Alexander, late of Troop L, Fifth Regiment United States Cavalry, and pay her a pension at the rate of \$20 per month.

The name of Henrietta E. J. Hammer, widow of Paul E. B. Hammer, late of Capt. Peter Isaacson's company, Utah Militia Infantry, and pay her a pension at the rate of \$20 per month.

The name of Jacob E. Peterman, late of Company A, Eleventh Regiment United States Infantry, and pay him a pension at the rate of \$12 per month.

The name of Milan Swearingen, late of One hundred and twentieth United States Coast Artillery, and pay him a pension at the rate of \$12 per month.

The name of Little Hawk, late United States Indian scout, United States Army, and pay him a pension at the rate of \$12 per month.

The name of Antoine De Rockbrain, late United States Indian scout, United States Army, and pay him a pension at the rate of \$12 per month.

The name of Arnold Iron Shell, late of Company I, Sixteenth United States Infantry, and pay him a pension at the rate of \$12 per month.

The name of Lyman J. Collings, late of John B. Boyd's company, Arizona Militia, and pay him a pension at the rate of \$12 per month.

The name of Mace Wise, late of United States Navy, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William F. Gilsbin, late of Company K, Ninth Regiment Massachusetts Infantry, and pay him a pension at the rate of \$20 per month.

The name of Clyde C. Forman, late of Company G, Twenty-ninth Regiment, United States Infantry, and pay him a pension at the rate of \$12 per month.

The name of Mary L. Ickes, widow of Waldo S. Ickes, late of One hundred and ninth Company, United States Coast Artillery Corps, and pay her a pension at the rate of \$12 per month.

The name of Espy G. Goodpasture, late of Company K, Seventeenth Regiment United States Infantry, and pay him a pension at the rate of \$12 per month.

The name of Harrison Brainard, late of Troop A, Fourth Regiment United States Cavalry, and pay him a pension at the rate of \$12 per month.

The name of Timothy Joseph Long, late of the United States Navy, and pay him a pension at the rate of \$12 per month.

The name of Edward W. Alfred, late of Company D, Eleventh Regiment United States Infantry, and pay him a pension at the rate of \$17 per month.

The name of James Ormond, late of Troop H, Sixth Regiment United States Cavalry, and pay him a pension at the rate of \$12 per month.

The name of Joseph Gorman, late of One hundred and twentieth Company, United States Coast Artillery, and pay him a pension at the rate of \$12 per month.

The name of Pauline Levy, dependent mother of George Levy, late of Company E, Third Regiment Mississippi Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Berma Yearkey, late of One hundred and nineteenth Company, United States Coast Artillery, and pay him a pension at the rate of \$12 per month.

The name of Nancy C. Gray, widow of Thomas C. Gray, late of the United States Navy, and pay her a pension at the rate of \$12 per month.

The name of William T. Conley, late of Company A, Sixth Regiment United States Infantry, and pay him a pension at the rate of \$12 per month.

The name of John J. Lewis, late of Company I, Eighteenth Regiment United States Infantry, and pay him a pension at the rate of \$10 per month.

The name of George C. Salyers, minor child of George Salyers, late of Seventy-first Company United States Coast Guard Artillery, and pay him a pension at the rate of \$12 per month, and \$2 per month additional as a minor child under 16 years of age.

The name of Margaret McWilliams, widow of Joe McWilliams, late of Company L, Twenty-eighth Regiment United States Infantry, and pay her a pension at the rate of \$12 per month.

The name of Owen B. Ragland, late of Company C, battalion of Engineers, United States Army, and pay him a pension at the rate of \$12 per month.

The name of Jennie C. Hughes, dependent mother of Charles Wesley Hughes, late of the United States Navy, and pay her a pension at the rate of \$20 per month.

The name of William R. Holt, late of Company H, Thirteenth Regiment United States Infantry, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Simon R. Ditzler, alias Harry William Lewis, late of the United States Marine Corps, and pay him a pension at the rate of \$12 per month.

The name of William S. Peach, late of Company F, Twenty-first Regiment United States Infantry, and pay him a pension at the rate of \$12 per month.

The name of Neal Whaley, late of Company E, Thirteenth Regiment United States Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of Vernon C. Young, late of Company G, Twelfth Regiment United States Infantry, and pay him a pension at the rate of \$12 per month.

The name of Albert E. Akins, late of Ninth Regiment United States Coast Artillery, and pay him a pension at the rate of \$12 per month.

The name of Aubrey L. Collins, late of the United States Navy, and pay him a pension at the rate of \$12 per month.

The name of Luchen N. Patterson, late of Combat Train, First Battalion Seventeenth Regiment United States Field Artillery, and pay him a pension at the rate of \$12 per month.

The name of Daisy Ballard, dependent mother of Caldwell C. Ballard, late of Company B, Fourth Regiment Tennessee Cavalry, National Guard, and pay her a pension at the rate of \$12 per month.

The name of Ronald S. Niven, late of the United States Navy, and pay him a pension at the rate of \$12 per month.

The name of John Joseph Barry, late of the United States Navy, and pay him a pension at the rate of \$12 per month.

The name of Hattie Bolton, dependent mother of Thomas L. Bolton, jr., late of Company K, Twelfth Regiment United States Infantry, and pay her a pension at the rate of \$20 per month.

The name of Fred Faulkner, late of Sixty-ninth Company United States Coast Artillery, and pay him a pension at the rate of \$10 per month.

The name of James Blankenship, late of Company A, First Regiment United States Infantry, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of William G. Hill, late of the United States Navy, and pay him a pension at the rate of \$8 per month.

The name of Charles B. Goddard, late of Battery B, Fifth Regiment United States Coast Artillery, and pay him a pension at the rate of \$12 per month.

The name of George A. Worrall, late of Company K, Tenth Regiment United States Infantry, and pay him a pension at the rate of \$17 per month.

The name of Catherine M. Allen, widow of William Allen, late of Battery H, Second Regiment United States Artillery, and pay her a pension at the rate of \$12 per month.

The name of Truman B. Gosnell, late of Company K, Second Regiment Nebraska National Guard Infantry, and pay him a pension at the rate of \$12 per month.

The name of Simmins G. Blount, late of Company B, Second Regiment Georgia Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

The name of George W. Lewis, late of Captain Burdges company, Idaho Volunteers, and pay him a pension at the rate of \$20 per month.

The name of Benjamin H. Thayer, late of the United States Navy, and pay him a pension at the rate of \$17 per month.

The name of Thomas H. Lynch, late of the United States Navy, and pay him a pension at the rate of \$10 per month.

The name of Mary J. Pearce, widow of James Pearce, late of Captain Willis Coplan's company, Iron Military District, Militia of Territorial Utah, and pay her a pension at the rate of \$12 per month.

The name of Samuel Hollenbeck, late recruit, Fourteenth United States Infantry, and pay him a pension at the rate of \$12 per month.

The name of David H. Black, late of Troop I, Sixth Regiment United States Cavalry, and pay him a pension at the rate of \$10 per month.

The name of Bert Partridge, late of band, Sixth Regiment United States Cavalry, and pay him a pension at the rate of \$17 per month.

The name of John F. Martin, late of Medical Department, United States Army, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Nellie Trapp, widow of James McF. Trapp, late of Company G, Fourteenth Regiment United States Infantry, and pay her a pension at the rate of \$20 per month.

The name of Catherine Murray, widow of Arthur Murray, late of General Service, United States Army, and pay her a pension at the rate of \$12 per month.

The name of John Shuler, late of One hundred and first Company, United States Coast Artillery, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of Ernest M. Brazil, late of Battery M, Third Battalion, United States Engineers, and pay him a pension at the rate of \$12 per month.

The name of Polk W. Nunnally, late of Company F, Second Regiment Georgia Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

The name of Emory Leonard Downey, late of the United States Marine Corps, and pay him a pension at the rate of \$20 per month.



The name of Wesley S. Walden, late of Company I, Tenth Regiment United States Infantry, and pay him a pension at the rate of \$17 per month.

The name of Sarah Lancaster, dependent mother of Gilbert Lancaster, late of Company M, Twenty-sixth Regiment United States Infantry, and pay her a pension at the rate of \$12 per month.

The name of George W. McElroy, late of Company B, Fourth Regiment United States Infantry, and pay him a pension at the rate of \$12 per month.

The name of Frederick G. Craco, late of Troop E, Fifth Regiment United States Cavalry, and pay him a pension at the rate of \$10 per month.

The name of Albert I. Merrill, late of Company I, Eighth Regiment United States Infantry, and pay him a pension at the rate of \$10 per month.

The name of Elmer E. Hall, late of Nez Perce Indian War in 1877, and pay him a pension at the rate of \$12 per month.

The name of Frank Fog, late of Company B, Indian scout, United States Army, and pay him a pension at the rate of \$6 per month.

The name of John Parent, late of Troop C, Mounted Service, United States Army, and pay him a pension at the rate of \$12 per month.

The name of Elizabeth D. Wise, widow of Commander Frederick M. Wise, late of the United States Navy, and pay her a pension at the rate of \$75 per month in lieu of that she is now receiving.

The name of Albert E. Sullivan, late of the United States Navy, and pay him a pension at the rate of \$12 per month.

The name of Edward E. Bailey, late of the United States Navy, and pay him a pension at the rate of \$20 per month.

The name of Amanda Kurtz, widow of Louis Kurtz, late of Company L, Third Regiment Missouri Infantry, and pay her a pension at the rate of \$20 per month.

The name of Elizabeth Bridgman, widow of Samuel N. Bridgman, late captain in commissary of subsistence, United States Volunteers, and pay her a pension at the rate of \$30 per month.

The name of John Adams, late of Battery E, Sixth Regiment United States Artillery, and pay him a pension at the rate of \$20 per month.

The name of Bear Dog, late of uprising of Indian Wounded Knee, and pay him a pension at the rate of \$12 per month.

The name of Eagleman, late of uprising of Indian Wounded Knee, and pay him a pension at the rate of \$12 per month.

The name of Ralph J. Gipson, late of Service Company, Seventeenth Regiment United States Infantry, and pay him a pension at the rate of \$12 per month.

The name of Edith Young Knight, widow of John T. Knight, late assistant quartermaster general United States Army, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Ann Monaghan, dependent mother of Charles P. Monaghan, late of Company A, Ninth Regiment United States Infantry, and pay her a pension at the rate of \$20 per month.

The name of William O. Thompson, late of Capt. James B. Blaine's company, New Mexico Militia Volunteers, and pay him a pension at the rate of \$12 per month.

The name of Lee Jordon, late of Company E, First Regiment United States Infantry, and pay him a pension at the rate of \$12 per month.

The name of Victoria Kessel, widow of Leon J. Kessel, late of Company L, Twenty-first Regiment United States Infantry, and pay her a pension at the rate of \$20 per month.

The name of Vivian N. Garrett, late of Company D, Eighth Regiment United States Infantry, and pay him a pension at the rate of \$20 per month.

The name of Golden S. Briggs, widow of Raymond Briggs, late of Company M, Sixteenth Regiment United States Infantry, and pay her a pension at the rate of \$12 per month.

The name of William H. Ferguson, late of Company A, Seventh Regiment United States Engineers, and pay him a pension at the rate of \$17 per month.

The name of Frank P. Card, late of the United States Navy, and pay him a pension at the rate of \$12 per month.

The name of Celia Kneller, widow of Albert Kneller, late of Company F, Twenty-second Regiment United States Infantry, and pay her a pension at the rate of \$20 per month.

The name of Frank E. Crane, late of Company I, First Regiment New Mexico Cavalry, and pay him a pension at the rate of \$20 per month.

The name of Margarito Barela, late of Company A, First Regiment New Mexico Cavalry, and pay him a pension at the rate of \$12 per month.

The name of Archibald H. Dixon, alias Richard A. Stacey, late of Troop E, Sixth Regiment United States Cavalry, and pay him a pension at the rate of \$20 per month.

The name of Christ O. Severeide, late of Company B, Sixth Regiment United States Infantry, and pay him a pension at the rate of \$12 per month.

The name of Anderson M. Cox, late of Capt. H. J. G. Maxom's Company F, Third Regiment Green Meadow Home Guards, and pay him a pension at the rate of \$12 per month.

The name of William Hibbard, late of Company H, Twenty-third Regiment United States Infantry, and pay him a pension at the rate of \$12 per month.

The name of John Mohrherr, late of Troop D, Sixth Regiment United States Cavalry, and pay him a pension at the rate of \$12 per month.

The name of Brings Three White Horses, late of uprising of Indian Wounded Knee, and pay him a pension at the rate of \$12 per month.

The name of Lorenzo D. Sheets, late of Battery F, Second Regiment United States Artillery and pay him a pension at the rate of \$8 per month.

The name of Charles E. Walters, helpless child of William Walters, late of Troop D, Nineteenth Regiment Kansas Cavalry, and pay him a pension at the rate of \$20 per month.

The name of Nellie L. Walters, helpless child of William Walters, late of Troop D, Nineteenth Regiment Kansas Cavalry, and pay her a pension at the rate of \$20 per month.

The name of James Alfred Johnson, late of the United States Marine Corps, and pay him a pension at the rate of \$17 per month.

The name of Kate Merritt Ramsay, widow of Martin McMahon Ramsay, late paymaster, United States Navy, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Richard S. Blackwell, late of Capt. James Clark's company, Oregon Volunteers, and pay him a pension at the rate of \$12 per month.

The name of Louis E. Janis, late of Forty-fourth Motor Transport Company, Quartermaster Corps, United States Army, and pay him a pension at the rate of \$12 per month.

The name of Emma F. Meyer, widow of Frederick Walter Meyer, late of Fourth Battery, New York Light Artillery, and pay her a pension at the rate of \$12 per month.

The name of Thomas Turner, late of Company F, Eleventh Regiment United States Infantry, and pay him a pension at the rate of \$10 per month.

The name of Emma L. Marheine, widow of Toney Marheine, late of Company L, First Regiment Tennessee Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The name of Amanda B. Whitfield, former widow of Lewis Bartholomew, late of Company F, First Regiment United States Infantry, and pay her a pension at the rate of \$12 per month.

The name of George B. Cummings, late of Battery A, Second Regiment United States Artillery, and pay him a pension at the rate of \$12 per month.

The name of Ruth L. Retan, helpless child of Lee H. Retan, late of Company G, Thirty-third Michigan Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Mary E. Kendall, helpless child of James F. Kendall, late of the United States Marine Corps, and pay her a pension at the rate of \$20 per month.

The name of John M. Lovelace, late of Quartermaster Corps Department, and Company M, Forty-fourth United States Infantry, and pay him a pension at the rate of \$12 per month.

The amendment was agreed to.

Mr. NORBECK. Mr. President, I desire to offer two corrective amendments. I move to strike out on page 23, line 18, after the words "per month," the words "and \$6 per month additional for minor child until 16 years of age." It is in the wrong place.

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. NORBECK. Then on page 24, in line 14, before the words "per month," I move to strike out the "\$2" and to insert in lieu thereof "\$6."

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. SHEPPARD. I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 56, after line 22, it is proposed to insert:

The name of Lucille E. Hanigan, widow of Col. Henry A. Hanigan, late of First Regiment United States Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving and \$6 per month additional for each child under 16 years of age.

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

#### PENSIONS AND INCREASE OF PENSIONS

The Senate proceeded to consider the bill (H. R. 16744) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, which had been reported from the Committee on Pensions with amendments.



The first amendment of the Committee on Pensions was, on page 7, after line 8, to strike out:

The name of Rachel Davis, widow of John L. Davis, late of Company K, Two hundred and eighth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 58, after line 16, to insert:

The name of Flora Irish, widow of George H. Irish, late of Company I, Fourteenth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Helen F. Wilcox, widow of Thaddeus H. Wilcox, late unassigned, Fifteenth Regiment New York Engineers, and pay her a pension at the rate of \$30 per month.

The name of Lizzie C. Snow, widow of James H. Snow, late of Company K, Eleventh Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of May E. Carsten, widow of Frederick W. Carsten, late of Troop L, Sixth Regiment Missouri State Militia Cavalry, and pay her a pension at the rate of \$30 per month.

The name of Caroline Richards, widow of Henry H. Richards, late of Troop K, Third Regiment Colorado Volunteer Cavalry, and pay her a pension at the rate of \$30 per month.

The name of Agnes Messenger, helpless child of James Messenger, late of Troop K, Fifteenth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of \$20 per month.

The name of Susan Hickenlooper, widow of Thomas B. Hickenlooper, late of Company D, Twenty-second Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Harriett E. Mitchell, widow of A. Bartley Mitchell, late of Sixteenth Independent Battery, Ohio Volunteer Light Artillery, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary Simpkins, widow of George W. Simpkins, late of Company G, Eighty-third Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Mary C. Starbuck, widow of John M. Starbuck, late of Company A, Twentieth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Margaret Kent, widow of Thomas J. Kent, late of Company B, Ninety-eighth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Mary E. Boyd, widow of Horatio N. Boyd, late of Troop L, Seventh Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Amanda J. Brooke, widow of Thomas H. Brooke, late of Military Telegraph Corps, United States Army, during Civil War, and pay her a pension at the rate of \$30 per month.

The name of Louisa S. Richmond, widow of William H. Richmond, late acting master's mate, United States Navy, and pay her a pension at the rate of \$30 per month.

The name of Aurelia R. Johnson, widow of John Johnson, late of Company F, Fourth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Charles W. Crippin, helpless child of John F. Crippin, late of Company I, One hundred and fifty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The name of Sarah F. Lambing, widow of George W. Lambing, late of Company H, One hundred and ninety-ninth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Cordelia Bodoin, widow of James Bodoin, late of Troop K, First Regiment Vermont Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Caroline V. McCullough, widow of George A. McCullough, late of Battery F, First Regiment Indiana Volunteer Heavy Artillery, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Sarah Pangburn, widow of Samuel V. Pangburn, late of Company A, Forty-eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Jemima McClure, widow of James McClure, late of Battery L, First Regiment Indiana Volunteer Heavy Artillery, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Elmer E. Hickman, helpless child of Charles A. Hickman, late of Company A, Thirty-eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Louisa J. Lewis, widow of Charles V. Lewis, late of Troop D, First Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Carrie M. Bearse, former widow of Samuel B. Stuart, late of Company E, Thirtieth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Martha V. Emery, widow of Charles A. Emery, late of Troop H, First Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of \$50 per month, and \$20 per month for helpless child, Amos E., in lieu of that she is now receiving:

*Provided*, That in the event of the death of Amos E., helpless and dependent child of said soldier, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Martha V. Emery the name of said Amos E. Emery shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$20 per month from and after the date of death of said Martha V. Emery.

The name of Lee Dan McMonigle, helpless child of Henry McMonigle, late of Troop H, Thirteenth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of \$20 per month.

The name of Minerva C. Smith, widow of Leander Smith, late unassigned, Indiana Volunteers, and pay her a pension at the rate of \$30 per month.

The name of Tom Kinney, helpless child of William Kinney, late of Company B, Thirty-ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The name of Marie E. Combe, widow of Adrien Combe, late of Company E, Twenty-sixth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Martha J. Pickard, former widow of Benjamin Smith, late of Company F, Forty-ninth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Sarah F. Stewart, widow of William N. Stewart, late of Company D, Sixty-fourth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$50 per month, and \$20 per month for helpless child, Irma, in lieu of that she is now receiving: *Provided*, That in the event of the death of Irma, helpless and dependent daughter of said soldier, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Sarah F. Stewart, the name of said Irma Stewart shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$20 per month from and after the date of death of said Sarah F. Stewart.

The name of Minnie Pennington, widow of Dixon Pennington, late of Company C, Forty-second Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Allie M. Casad, widow of Orla S. Casad, late of Company B, Sixty-second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Amanda M. I. Clark, widow of Firmin Clark, late of Company A, Fifty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Louisa S. Fee, widow of Nathan H. Fee, late of Troop I, Twelfth Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Sarah Bowers, widow of Joseph R. Bowers, late of Company F, Third Regiment Tennessee Volunteer Mounted Infantry, and pay her a pension at the rate of \$30 per month.

The name of Mary A. Bates, widow of John T. Bates, late of Fourth Battery Wisconsin Volunteer Light Artillery, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary Jane Williams, widow of Joseph Williams, late of Company B, Seventy-second Regiment Missouri Militia, and pay her a pension at the rate of \$30 per month.

The name of Rachel Patten Ricks, widow of William Ricks, late of Company G, One hundred and second Regiment United States Colored Infantry, and pay her a pension at the rate of \$30 per month.

The name of Mary E. Richards, widow of Frank Richards, late of Company H, Eleventh Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Celia Thurber, widow of Henry Thurber, late of Company F, Thirty-second Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary Walters, widow of George W. Walters, late of Company F, One hundred and eighty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Paul Manso, helpless child of James G. Manso, late of Company A, Fifteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The name of Sarah C. Manso, widow of James G. Manso, late of Company A, Fifteenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Eveline Bloodgood, widow of Augustus Bloodgood, late of Company A, Eleventh Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Lena Elizabeth Wissmath, helpless child of Henry Wissmath, late of Company F, Twenty-second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Hattie Carver, helpless child of Henry Carver, late of Company C, Twentieth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Evelyn Qualls, widow of Nevel Qualls, late of Company C, Eighty-first Regiment Illinois Volunteer Infantry, and



pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary E. Greene, widow of Lester B. Greene, late of Company C, First Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary McLaughlin, widow of John McLaughlin, late of Company A, Two hundred and second Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$50 per month, and \$20 per month for helpless child, George, in lieu of that she is now receiving: *Provided*, That in the event of the death of George McLaughlin, helpless and dependent son of said Mary McLaughlin, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Mary McLaughlin, the name of said George McLaughlin shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$20 per month from and after the date of death of said Mary McLaughlin.

The name of Philip Gump, jr., helpless child of Philip Gump, late of Troop C, Eighteenth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of \$20 per month.

The name of Mary Martin, widow of William Martin, late of Company I, Forty-eighth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Emma Williams, helpless child of Thomas T. Williams, late of Captain Francis M. Vaughn's Company B, Three Forks Battalion, Kentucky State Troops, and pay her a pension at the rate of \$20 per month.

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

#### RESPONSIBILITY OF POSTMASTERS

The bill (S. 5752) to fix more equitably the responsibility of postmasters, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That hereafter a postmaster at a post office of the first, second, or third class shall not be held liable for any loss of public funds of the United States due to the negligence or dishonesty of any subordinate or subordinates, unless in the opinion of the Postmaster General such postmaster by the exercise of due diligence could have prevented such loss.

Sec. 2. All provisions of law inconsistent with the foregoing are hereby repealed.

#### GUNS OF FORMER COAST GUARD CUTTER "BEAR"

The bill (H. R. 13262) to authorize the Secretary of the Navy to donate to the city of Oakland, Calif., certain guns and mounts that were formerly in service on the Coast Guard cutter *Bear* was considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the Secretary of the Navy be, and he is hereby, authorized and directed to donate, without expense to the United States, to the city of Oakland, Calif., three 6-pounder guns, Mark VIII, and mounts complete with breech mechanism, yoke, carriage, slide, stand, and sight, serial Nos. 232, 234, and 235, that were formerly in service on the Coast Guard cutter *Bear*.

#### CLAIM OF CREEK NATION OF INDIANS

The resolution (S. Res. 404) referring to the Court of Claims the claim of the Creek Nation of Indians for compensation for lands acquired from them by the United States, and for other purposes, was read, considered, and agreed to, as follows:

*Resolved*, That the claim of the Creek Nation of Indians for compensation from the United States for lands acquired by the United States from said Indian tribe under Article I of the treaty of August 9, 1814 (7 Stat. 120), be, and the same is hereby, referred to the Court of Claims in accordance with the provisions of section 151 of the Judicial Code (U. S. C., sec. 257; 44 Stat. 898); and said court is authorized and directed, notwithstanding the lapse of time or the statutes of limitation and irrespective of any former adjudication or release, to inquire into the claim of said Indian tribe for just compensation for said lands and to report the amount which in fairness and justice and under all the facts and circumstances the United States should pay to the Creek Nation of Indians as fair compensation for said lands, and to report its findings of fact and conclusions to the Congress. In reporting such amount the court shall take into consideration the amount for which the United States sold such lands as public lands, less cost of survey and sale.

#### GOVERNMENT TOWN SITES ON IRRIGATION PROJECTS

The bill (H. R. 14056) to amend the act approved March 2, 1929, entitled "An act to authorize the disposition of unplatted portions of Government town sites on irrigation projects under the reclamation act of June 17, 1902, and for

other purposes," was considered, read the third time, and passed, as follows:

*Be it enacted, etc.*, That section 1 of the act of March 2, 1929, entitled "An act to authorize the disposition of unplatted portions of Government town sites on irrigation projects under the reclamation act of June 17, 1902, and for other purposes" (45 Stat. L. 1522; U. S. C., Supp. III, title 43, sec. 571), be amended to read:

"That the Secretary of the Interior is hereby authorized, in his discretion, to appraise and sell, at public auction, to the highest bidder, from time to time, under such terms as to time of payment as he may require, but in no event for any longer period than five years, any or all of the unplatted portions of Government town sites created under the act of April 16, 1906 (34 Stat. 116), on any irrigation project constructed under the act of June 17, 1902 (32 Stat. 383), or acts amendatory thereof or supplementary thereto: *Provided*, That any land so offered for sale and not disposed of may afterwards be sold, at not less than the appraised value, at private sale, under such regulations as the Secretary of the Interior may prescribe. Patents made in pursuance of such sale shall convey all the right, title, and interest of the United States in or to the land so sold."

#### PATENTS TO LANDS IN MONTANA

The Senate proceeded to consider the bill (S. 4696) granting to the Butte Anglers' Club, of Butte, Mont., a patent to lot 1, section 5, township 2 south, range 9 west, and a patent to the Northern Pacific Railway Co. of lot 2 in said section 5, which had been reported from the Committee on Public Lands and Surveys with an amendment on page 2, line 4, after the word "fish," to insert "and that any and all mineral of any kind or character within the granted lands are reserved to the United States," so as to make the bill read:

*Be it enacted, etc.*, That there is hereby granted, subject to vested existing rights, to the Butte Anglers' Club, of Butte, Mont., lot 1 of section 5, township 2 south, range 9 west, and to the Northern Pacific Railway Co. lot 2 in said section, upon its filing with the Secretary of the Interior a duly certified copy of a conveyance of the said land to the said Butte Anglers' Club. In each case the patent, in evidence of the grant herein made, shall provide that the land conveyed shall revert to the United States if and when after two years from the date thereof the premises cease to be used for the propagation of game fish and that any and all mineral of any kind or character within the granted lands are reserved to the United States.

Mr. WALSH of Montana. I move to amend the committee amendment, at the beginning of line 6, by striking out the word "are" and inserting the word "is."

The PRESIDENT pro tempore. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### CONSIDERATION OF BRIDGE BILLS

Mr. FESS. Mr. President, beginning with Order of Business No. 1587 there are about 18 bridge bills on the calendar, which I suggest may be considered en bloc.

The PRESIDENT pro tempore. The Chair was about to call attention to that fact. There are certain of them, however, with amendments, and the Chair will call attention to those bills as the calendar is proceeded with. The next order of business on the calendar, being Senate bill 5624, has been reported with amendments.

The Senate proceeded to consider the bill (S. 5624) to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Shawneetown, Gallatin County, Ill., and a point opposite thereto in Union County, Ky., which had been reported from the Committee on Commerce with amendments, on page 2, at the beginning of line 2, to insert "heretofore extended by an act of Congress approved June 20, 1929," and in line 3, after the word "hereby," to insert the word "further," so as to make the bill read:

*Be it enacted, etc.*, That the times for commencing and completing the construction of a bridge across the Ohio River at or near Shawneetown, Gallatin County, Ill., and a point opposite thereto in Union County, Ky., authorized to be built by the act of Congress entitled "An act authorizing J. L. Rowan, his heirs, legal representatives, and assigns to construct, maintain, and operate a bridge across the Ohio River at or near Shawneetown, Ill.," approved May 1, 1928, heretofore extended by an act of Congress



approved June 20, 1929, are hereby further extended one and three years, respectively, from the date of approval hereof.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The PRESIDENT pro tempore. Without objection, Order of Business No. 1588, being Senate bill 5746, and Order of Business 1589, being Senate bill 5768, being in the usual form, and having been reported without amendment, will be considered en bloc.

Mr. HOWELL. I desire to offer an amendment to Senate bill 5768.

The PRESIDENT pro tempore. Very well; the bills will be considered separately.

The bill (S. 5746) granting the consent of Congress to the county commissioners of Baltimore County, Md., to construct, maintain, and operate a free highway bridge across Deep Creek at or near Marlyn Avenue, Baltimore County, Md., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the consent of Congress is hereby granted to the county commissioners of Baltimore County, Md., to construct, maintain, and operate a free highway bridge and approaches thereto across Deep Creek, at a point suitable to the interests of navigation, at or near Marlyn Avenue, Baltimore County, Md., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The Senate proceeded to consider the bill (S. 5768) authorizing the cities of Omaha, Nebr., and Council Bluffs, Iowa, and the counties of Douglas, Nebr., and Pottawattamie, Iowa, to construct, maintain, and operate a toll or free bridge across the Missouri River at or near O'Hern Street, South Omaha, Nebr., which was read, as follows:

*Be it enacted, etc.,* That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the city of Omaha, Nebr., or Douglas County, Nebr., or the city of Council Bluffs, or Pottawattamie County, Iowa, or any two or more thereof cooperating, are hereby authorized to construct, maintain, and operate a bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation, at or near O'Hern Street, South Omaha, Nebr., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon said cities and counties, acting jointly, or any one or more of them separately, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The said cities and counties, or any one or more thereof, are hereby authorized to operate such bridge free of tolls, or, in their discretion, to fix and charge tolls for transit over such bridge; and in case rates of toll are so fixed, such rates shall be the legal rates until changed by the Secretary of War under authority contained in the act of March 23, 1906.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating such bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing costs, as soon as possible, under reasonable charges, but within a period of not to exceed 15 years from the completion thereof or acquisition thereof as hereinafter provided. After a sinking fund sufficient for such amortization shall have been so provided such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of such bridge and its approaches under economical management. An accurate record of the cost of such bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

SEC. 5. All rights, powers, and privileges conferred by this act upon the city of Omaha, Nebr., the city of Council Bluffs, Iowa,

the county of Douglas, Nebr., and the county of Pottawattamie, Iowa, may be enjoyed, used, or performed by said cities and counties, jointly, or by any one or more thereof separately, or by such boards or commissions as may be created by law to carry out the provisions of this act for said cities and counties, or any one or more thereof that may construct the bridge hereby authorized. The rights, powers, and privileges conferred by this act may be assigned, conveyed, and transferred by said cities and counties to the State of Nebraska and the State of Iowa, or to either thereof, or to the highway departments of said States, or of either thereof, but shall not otherwise be assigned, conveyed, or transferred.

SEC. 6. The right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. HOWELL. I desire to offer an amendment to the bill. On page 3, line 12, I move to strike out the word "fifteen" and substitute in lieu thereof the word "twenty."

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The bill (S. 5798) to extend the times for commencing and completing the construction of a bridge across the Ohio River at Cairo, Ill., was announced as next in order.

The PRESIDENT pro tempore. For the bill the title of which has just been stated a similar House bill, being Order of Business No. 1593, House bill 14689, will, without objection, be substituted, and the House bill will be considered.

The bill (H. R. 14689) to extend the time for commencing and completing the construction of a bridge across the Ohio River at Cairo, Ill., was read, considered, ordered to a third reading, read the third time, and passed.

The PRESIDENT pro tempore. Senate bill 5798 will be indefinitely postponed.

The bill (S. 5887) to extend the times for commencing and completing the construction of a bridge across the Ohio River at Mound City, Ill., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the times for commencing and completing the construction of a bridge across the Ohio River at or near Mound City, Ill., authorized to be built by B. L. Hendrix, G. C. Trammel, and C. S. Miller by the act of Congress approved March 16, 1928, and extended for one year by the act of Congress approved March 2, 1929, and again extended one year by the act of Congress approved May 26, 1930, are hereby further extended one and three years, respectively, from March 2, 1931.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The Senate proceeded to consider the bill (S. 5952) to extend the times for commencing and completing the construction of a bridge across the Ohio River approximately midway between the cities of Owensboro, Ky., and Rockport, Ind., which had been reported from the Committee on Commerce with an amendment on page 1, line 8, after the name "February," to strike out "6" and insert "26," and in the same line, after the numerals "1929," to insert "heretofore extended by act of Congress approved March 3, 1930," so as to make the bill read:

*Be it enacted, etc.,* That the times for commencing and completing the construction of a bridge across the Ohio River approximately midway between the cities of Owensboro, Ky., and Rockport, Ind., authorized to be built by E. T. Franks, his heirs, legal representatives, and assigns, by an act of Congress approved February 26, 1929, heretofore extended by act of Congress approved March 3, 1930, are hereby further extended one and three years, respectively, from February 26, 1931.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The bill (S. 5921) authorizing Dalles City, a municipal corporation, its successors and assigns, to construct, maintain, and operate a bridge across the Columbia River at or near The Dalles, Oreg., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, Dalles City, a municipal corporation, its successors and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Columbia River, at a point suitable to the interests of navigation at or near



The Dalles, Oreg., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

Sec. 2. There is hereby conferred upon Dalles City, a municipal corporation, its successors and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Sec. 3. The said Dalles City, a municipal corporation, its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

Sec. 4. After the completion of such bridge, as determined by the Secretary of War, either the State of Oregon, the State of Washington, any public agency or political subdivision of either of such States, within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches and any interest in real property necessary therefor, by purchase or by condemnation or expropriation, in accordance with the laws of either of such States governing the acquisition of private property for public purposes by condemnation or expropriation. If at any time after the expiration of 15 years after the completion of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interest in real property; (3) actual financing and promotion costs, not to exceed 10 per cent of the sum of the cost of constructing the bridge and its approaches and acquiring such interest in real property; and (4) actual expenditures for necessary improvements.

Sec. 5. If such bridge shall be taken over or acquired by the States or public agencies or political subdivisions thereof, or by either of them, as provided in section 4 of this act, and if tolls are thereafter charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management and to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing cost, as soon as possible under reasonable charges but within a period of not to exceed 15 years from the date of acquiring the same. After a sinking fund sufficient for such amortization shall have been provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Sec. 6. Dalles City, a municipal corporation, its successors and assigns, shall within 90 days after the completion of such bridge file with the Secretary of War and with the highway departments of the States of Oregon and Washington a sworn, itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, and upon request of the highway department of either of such States shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of such costs so filed and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge; for the purpose of such investigation the said Dalles City, a municipal corporation, its successors and assigns, shall make available all of its records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 4 of this act, subject only to review in a court of equity for fraud or gross mistake.

Sec. 7. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to Dalles City, a municipal corporation, its successors and assigns; and any corporation to which, or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

Sec. 8. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill (S. 5843) authorizing H. C. Brenner Realty & Finance Corporation, its successors and assigns, to construct, maintain, and operate a bridge across the Mississippi River at or near a point between Cherokee and Osage Streets, St. Louis, Mo., was announced as next in order.

The PRESIDENT pro tempore. The Chair is advised that Order of Business 1595, being House bill 12966, is identical with the Senate bill, and, without objection, will be substituted for it and will be considered at this time.

The bill (H. R. 12966) authorizing H. C. Brenner Realty & Finance Corporation, its successors and assigns, to construct, maintain, and operate a bridge across the Mississippi River at or near a point between Cherokee and Osage Streets, St. Louis, Mo., was considered, read the third time, and passed.

The PRESIDENT pro tempore. Without objection, Senate bill 5843 will be indefinitely postponed.

The bills on the calendar from Order of Business 1596 to Order of Business 1604, inclusive, are in the usual form and without objection will be considered en bloc.

The following House bills were severally read, considered, ordered to a third reading, read the third time, and passed:

The bill (H. R. 14558) to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near New Martinsville, W. Va.;

The bill (H. R. 14676) to extend the times for commencing and completing the construction of a bridge across the Columbia River at or near Arlington, Oreg.;

The bill (H. R. 14689) to extend the times for commencing and completing the construction of a bridge across the Ohio River at Cairo, Ill.;

The bill (H. R. 15137) to extend the times for commencing and completing the construction of an overhead viaduct across the Mahoning River at or near Niles, Trumbull County, Ohio;

The bill (H. R. 15276) authorizing the States of Alabama and Mississippi, through their respective highway departments, to construct, maintain, and operate a free highway bridge across the Escatawpa River at or near Wilmer, Ala., and Latonia, Miss., connecting Mobile County, Ala., and George County, Miss.;

The bill (H. R. 15366) granting the consent of Congress to the State of Minnesota to construct, maintain, and operate a bridge across the Mississippi River near Bemidji, Minn.;

The bill (H. R. 15433) granting the consent of Congress to the State of Illinois to construct, maintain, and operate a free highway bridge across the Little Calumet River on South Halsted Street at One hundred and thirtieth Street, in Cook County, State of Illinois;

The bill (H. R. 15434) granting the consent of Congress to the State of Illinois to construct, maintain, and operate a free highway bridge across the Fox River at Algonquin, in McHenry County, State of Illinois; and

The bill (H. R. 14452) to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River near Alexandria Bay, N. Y.

#### LOANS LESS THAN \$300 IN THE DISTRICT OF COLUMBIA

The bill (S. 5629) to provide for the regulation of business of making loans of \$300 or less in the District of Columbia, and for other purposes, was announced as next in order.

Mr. KING. Mr. President, I ask that the bill go over.

Mr. BLAINE. Mr. President, that bill has received very scant consideration by the Committee on the District of Columbia. I think there were only four members present when the bill was voted to be reported out. Under those circumstances I ask unanimous consent that it may be recommitted to the committee.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the bill will be recommitted to the committee.

#### SALINE RIVER BRIDGE NEAR KINGSLAND, ARK.

The bill (H. R. 15766) granting the consent of Congress to the Arkansas State Highway Commission to maintain and operate, as constructed, a free highway bridge across



Saline River near Kingsland, Ark., on State highway No. 3, from Pine Bluff to Fordyce, Ark., was considered, read the third time, and passed.

#### GEORGE WASHINGTON BICENTENNIAL

The Senate proceeded to consider the bill (S. 6041) to authorize an appropriation of funds in the Treasury to the credit of the District of Columbia for the use of the District of Columbia Commission for the George Washington Bicentennial, which had been reported from the Committee on the District of Columbia with an amendment, on page 1, after line 7, to insert "Provided, That the expenditure of the money for the District of Columbia Commission for the George Washington Bicentennial herein authorized shall be made under such regulations as may be prescribed by the Commissioners of the District of Columbia," so as to make the bill read:

*Be it enacted, etc.,* That there is hereby authorized to be appropriated, out of funds in the Treasury to the credit of the District of Columbia, the sum of \$100,000, to be expended by the District of Columbia Commission for the George Washington Bicentennial: *Provided,* That the expenditure of the money by the District of Columbia Commission for the George Washington Bicentennial herein authorized shall be made under such regulations as may be prescribed by the Commissioners of the District of Columbia.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### COPPER RIDGE MINING CO.

The bill (S. 4837) for the relief of the Copper Ridge Mining Co., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay to the Copper Ridge Mining Co., out of any money in the Treasury not otherwise appropriated, the sum of \$515, in full satisfaction of the claims of said company against the United States for repayment of purchase money in connection with mineral entries Phoenix 056018 and 056019, such claims for repayment not having been submitted to the General Land Office within the time required by the act entitled "An act to amend an act approved March 26, 1908, entitled 'An act to provide for the repayment of certain commissions, excess payments, and purchase moneys paid under the public land laws,'" approved December 11, 1919.

#### SEACOAST ISLANDS OF ORANGE COUNTY, CALIF.

The Senate proceeded to consider the bill (H. R. 11968) to reserve for public use scenic rocks, pinnacles, reefs, and small islands along the seacoast of Orange County, Calif., which had been reported from the Committee on Public Lands and Surveys with amendments, on page 1, line 6, after the word "hereby," to insert the word "temporarily"; in line 7, after the word "reserved," to insert "pending the enactment of appropriate legislation by the Congress of the United States"; and in line 9, after the word "scenic," to strike out "and" and insert "or," so as to make the bill read:

*Be it enacted, etc.,* That all rocks, pinnacles, reefs, and islands having an area, at ordinary high tide, of less than 2 acres, and located in the Pacific Ocean within 1 mile of the coast of Orange County, Calif., be, and the same are hereby, temporarily reserved, pending enactment of appropriate legislation by the Congress of the United States, in the interest of preserving the same for park, scenic, or other public purposes, and no patent shall issue for any of said rocks, pinnacles, reefs, or islands under any law relating to the public lands after the passage of this act.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

#### IDAHO NATIONAL FOREST

The bill (S. 116) to add certain lands to the Idaho National Forest, Idaho, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the following-described areas be, and the same are hereby, included in and made a part of the Idaho National Forest, subject to all prior adverse rights; and that said lands shall hereafter be subject to all laws affecting national forests: All township 23 north, ranges 2 and 3 east, and that part of the west half of township 24 north, range 4 east, which is not already included in the Nez Perce National Forest; all Boise meridian.

#### ATLANTIC & PACIFIC RAILROAD, NEW MEXICO

The bill (S. 5105) for the relief of certain settlers and claimants within the limits of the grant of land to the Atlantic & Pacific Railroad Co. in the State of New Mexico, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Santa Fe Pacific Railroad Co., successor in interest to the Atlantic & Pacific Railroad Co., may, when requested by the Secretary of the Interior so to do, deed to the United States any part or all of sections 9, 15, and 23, township 2 north, range 4 west, New Mexico principal meridian, the title to which was derived by said railroad company through the act of Congress of July 27, 1866 (14 Stat. L. 292), in aid of the construction of said railroad, any portion of which sections is and has been occupied by any settler or claimant, by themselves or their predecessors in interest, for a period of not less than 40 years next before the passage of this act, and shall then be entitled to select in lieu thereof and to have patented other sections of vacant, unreserved, nonmineral public land of equal quantity in said State, as may be agreed upon with the Secretary of the Interior: *Provided,* That the Secretary of the Interior shall, as soon as may be after the passage of this act, cause inquiry to be made of all lands so held by settlers or claimants, and shall cause the holdings to be surveyed, and on receiving such deed shall at once, without cost to the claimants, cause patents to issue to each such claimant for his or her holdings: *Provided further,* That not to exceed 160 acres shall be patented to any one person: *And provided further,* That any fractions of any such sections of land remaining after the issuance of patents to the settlers or claimants as aforesaid shall be subject to entry or other disposition the same as other public lands of the United States.

SEC. 2. That the Secretary be, and he is hereby, authorized to issue patent upon stock-raising homestead entry, Buffalo, Wyo., No. 025831, made by James Scott on April 7, 1926, for the south half of the southeast quarter, and southeast quarter of the southwest quarter, section 13, southeast quarter of the northeast quarter, and northeast quarter of the southeast quarter, section 23, and north half of the northwest quarter, and southwest quarter of the northwest quarter, section 24, township 41 north, range 88 west, sixth principal meridian, in support of which final proof was submitted on October 15, 1929.

#### LIVE OAK NAVAL RESERVE, LA.

The bill (H. R. 6586) providing for the confirmation of the title of certain purchasers from the State of Louisiana of lands formerly included in the Live Oak naval reserve on Navy Commissioners Island, in St. Mary Parish, La., now abandoned, was considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That, subject to the provisions of this act, the title of all persons who, prior to January 1, 1880, purchased from the State of Louisiana any lands formerly included in what was known as the Live Oak naval reserve on Navy Commissioners Island, in St. Mary Parish, in the State of Louisiana, established by Executive order of February 29, 1820, under authority of the act of March 1, 1817, and restored to entry by authority of act of February 16, 1923 (42 Stat., p. 1258), shall be confirmed and validated against any claim or interest of the United States: *Provided,* That satisfactory evidence of such purchase, with description of the lands claimed by each applicant, in accordance with the system of the United States public-land surveys, be submitted to the Secretary of the Interior within six months from and after the approval of this act: *Provided further,* That patents shall issue to such purchasers and shall inure to the benefit of their heirs, assigns, or devisees to the same extent and as if such purchasers had secured full title from the State of Louisiana through such purchasers upon the payment of \$1.25 per acre for such land, which sum shall be deposited in the Treasury of the United States: *Provided further,* That the provisions of this act shall not impair the rights of valid settlers upon said land.

#### TIMBERLAND IN MINNESOTA

The bill (H. R. 9934) providing for the sale of timberland in four townships in the State of Minnesota, was considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That vacant, unappropriated, unreserved lands valued chiefly for timber in townships 158 and 159 north, range 32 west, and in townships 158 and 159, range 33 west, fifth principal meridian, Beltrami County, Minn., in the former Red Lake Indian Reservation, may be sold to citizens of the United States, or to persons who have declared their intention to become such, under regulations to be prescribed by the Secretary of the Interior, in quantities not exceeding 160 acres to any one person or association of persons, at the appraised value but in no case less than \$2.50 per acre: *Provided,* That nothing herein contained shall defeat or impair any bona fide claim under any law of the United States, or authorize the sale of the improvements of any bona fide settler.



## EXCHANGE OF LANDS BETWEEN UNITED STATES AND UTAH

The bill (H. R. 12697) to authorize an exchange of lands between the United States and the State of Utah was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to accept on behalf of the United States title to the lands hereinafter described, containing 23,840 acres, more or less, owned by the State of Utah, and in exchange therefor may patent to the said State not more than an equal area of surveyed, unreserved, nonmineral, and unappropriated public lands in said State. The lands to be accepted by the United States are described as follows:

The southeast quarter, south half southwest quarter, northeast quarter southwest quarter section 9; southeast quarter northwest quarter, northeast quarter, south half section 10; west half, west half northeast quarter section 11; northwest quarter, north half southwest quarter, southeast quarter southwest quarter, southeast quarter section 14; north half, southwest quarter section 15; south half northeast quarter, south half section 17; southeast quarter southeast quarter section 18; southeast quarter southwest quarter, southwest quarter southeast quarter, east half southeast quarter, east half northeast quarter section 19; all of section 20; all of section 21; southwest quarter southwest quarter, northwest quarter northwest quarter section 22; west half, west half east half, northeast quarter northeast quarter section 23; northwest quarter section 26; northeast quarter northeast quarter, west half northwest quarter, northwest quarter southwest quarter section 27; south half, northwest quarter, west half northeast quarter, northeast quarter northeast quarter section 28; south half, northeast quarter, southeast quarter northwest quarter section 29; west half, northeast quarter, west half southeast quarter section 30; north half, southeast quarter, east half southwest quarter, southwest quarter southwest quarter section 31; northwest quarter, west half northeast quarter, northeast quarter northeast quarter, north half southwest quarter, southwest quarter southwest quarter section 33; north half southwest quarter section 34, all in township 16 south, range 5 west, Salt Lake base and meridian.

The east half section 1; south half section 13; southeast quarter, southeast quarter northeast quarter section 14; northeast quarter, east half northwest quarter, northwest quarter northwest quarter, south half southeast quarter section 24; northeast quarter, north half northwest quarter, southwest quarter northwest quarter, west half southwest quarter, southeast quarter southwest quarter, southwest quarter southeast quarter section 25; north half, north half south half, southwest quarter southwest quarter section 36, all in township 17 south, range 6 west, Salt Lake base and meridian.

The southeast quarter section 3; southwest quarter, west half northwest quarter section 4; all of section 5; southeast quarter, north half section 6; northeast quarter, north half southeast quarter section 7; all of section 8; northwest quarter northwest quarter section 9; northeast quarter, east half southwest quarter, northwest quarter southeast quarter section 10; northeast quarter northwest quarter, southwest quarter northwest quarter, northwest quarter southwest quarter section 15; northwest quarter southwest quarter, southeast quarter southwest quarter section 16; all of section 17; southeast quarter section 18; east half section 19; all of section 20; west half, northeast quarter, northwest quarter southeast quarter section 21; north half northwest quarter, southwest quarter northwest quarter, northwest quarter southwest quarter section 28; east half, southwest quarter section 30; east half, southwest quarter, east half northwest quarter, northwest quarter northwest quarter section 31, all in township 17 south, range 5 west, Salt Lake base and meridian.

The west half southwest quarter section 4; south half, northwest quarter northwest quarter section 5; north half, southeast quarter, east half southwest quarter, southwest quarter southwest quarter section 6; all of section 7; all of section 8; southwest quarter, west half northwest quarter section 9; all of section 17; all of section 18; northwest quarter, north half northeast quarter, south half southeast quarter section 19; all of section 20; southwest quarter section 21; west half, west half east half section 29; east half, east half southwest quarter section 30; northeast quarter, east half northwest quarter, north half southeast quarter, west half southwest quarter section 31, all in township 18 south, range 5 west, Salt Lake base and meridian.

The northeast quarter southwest quarter, south half southwest quarter, southwest quarter southeast quarter section 3; northeast quarter, east half northwest quarter, east half southwest quarter, southwest quarter southeast quarter section 9; north half northwest quarter section 10, all in township 19 south, range 5 west, Salt Lake base and meridian.

## SUIT ON BONDS OF UNITED STATES DISTRICT COURT CLERKS

The bill (S. 541) to limit the time for bringing suit on the bonds of clerks of United States district courts was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That (a) no suit on the bond of a clerk of a United States district court shall be maintained, if the right of action accrues after the date of the approval of this act, unless

such suit is commenced within six years after the right of action accrues; except that if any person entitled to bring such suit was at the time of the accrual of the right of action under disability by reason of being an infant, a married woman, or an insane person, such suit shall not be barred if it is commenced within three years after the removal of the disability.

(b) No such suit shall be maintained if the right of action accrued before the date of the approval of this act, unless such suit had not become barred by any statute of limitations in force before such date, and unless such suit is commenced prior to the expiration of one year after the approval of this act or six years after the right of action first accrued, whichever is the later; except that if any person entitled to bring such suit was at the time of the accrual of the right of action under disability by reason of being an infant, a married woman, or an insane person, such suit shall not be barred if it is commenced within three years after the removal of the disability.

Sec. 2. Nothing in this act shall be held to modify the provisions of section 2 of the act entitled "An act requiring notice of deficiency in accounts of principals to be given to sureties upon bonds of United States officials, and fixing a limitation of time within which suits shall be brought against said sureties upon said bonds," approved August 8, 1888.

## MOUNT RUSHMORE RESERVATION

The bill (S. 6092) to transfer certain forest lands to the State of South Dakota for public-park purposes and creating the Mount Rushmore Reservation was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Whereas it has been the policy of the United States to set aside and maintain for public-park purposes areas of the public domain having striking and unusual scenic features and which are more valuable for park than commercial purposes; and

Whereas the State of South Dakota has set aside and is maintaining as a public park an area which, in point of scenic beauty, unusual features, size, and development, compares favorably with the better class of national parks; and

Whereas said park contains 60,000 acres which are owned by said State and which are exclusively devoted to the use and benefit of all the people of the United States without discrimination, but which are separated into two areas by intervening national-forest lands; and

Whereas the procurement of additional lands is necessary in order to consolidate and enlarge said park into an ideal park unit of approximately 100,000 acres, which the State of South Dakota agrees to maintain in perpetuity for public-park purposes; and

Whereas said State has expended \$300,000 in the construction of highways through forest lands now attached to said park for game purposes without material contribution from the United States; and

Whereas division of administration and control is not conducive to a proper and ideal development of the area as a public playground and recreational region: Therefore

*Be it enacted, etc.,* That for the purpose of enlarging the Custer State Park of South Dakota, and upon the conditions hereinafter set out, there be, and is hereby, granted and conveyed to the State of South Dakota, for park purposes, the publicly owned forest and other lands described as follows:

In township 2 south, range 4 east, Black Hills meridian: All of those parts of sections 22 and 27 lying east of the right of way of the Chicago, Burlington & Quincy Railroad; the east half of section 13, the north half of section 35, and all of sections 23, 24, 25, 26, and 36.

In township 2 south, range 5 east, Black Hills meridian: The south half of sections 2, 3, 4, 5, and 7, all of sections 8 to 27, inclusive, the east half of section 28, the south half of section 31, the south half of north half and the south half of section 32, the northeast quarter of section 33, and all of sections 34, 35, and 36.

In township 2 south, range 6 east, Black Hills meridian: All of sections 7, 8, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33, and 34 and the south half of section 9 and the west half of sections 27 and 35.

In township 3 south, range 4 east, Black Hills meridian: The north half of section 1.

In township 3 south, range 5 east, Black Hills meridian: All of sections 1, 2, 3, 4, 5, 6, 11, 12, 13, 14, 23, 24, 25, and 26 and the south half of sections 21 and 22 and the north half of north half of sections 27 and 28.

In township 5 south, range 5 east, Black Hills meridian: All of sections 1, 2, 11, 12, 13, 14, 23, and 24 and the north half of section 25 and the north half of the west half of southwest quarter of section 26.

That the above grant and conveyance shall be conditioned upon—

(a) The State of South Dakota maintaining the above-described lands in perpetuity for public-park purposes as an enlargement of its present State park, same constituting a consolidated park unit of approximately 105,000 acres, which shall include sections 17, 18, 19, and 20, township 3 south, range 7 east, Black Hills meridian. This area may be reduced by revision of the boundaries and the exclusion of both privately owned lands and forest lands, in substantial accordance with the recommendations of the special



legislative committee created by chapter 5 of the special session laws of 1927 of the State of South Dakota: *Provided*, That such park unit shall at no time be reduced below 100,000 acres in area.

(b) The said State acquiring at least 90 per cent of the privately owned land lying within the exterior boundaries of said park unit inside a period of not exceeding 10 years from the date of the approval of this act, and said State shall immediately make provision for acquiring such land in an orderly manner through appropriate legislative enactment.

Said grant shall not include any lands upon which the date of the approval of this act is covered by a bona fide right or claim under the laws of the United States, unless and until such right or claim is relinquished or extinguished: *Provided*, That hereafter no applications or filing of a mineral or other character within such park area shall be accepted, allowed, or recognized by the United States, and the State of South Dakota shall have the right to acquire by contest, relinquishment, or purchase any mining or other claim now existing therein.

Sec. 2. That existing contracts entered into by the United States Forest Service for the cutting of timber upon the lands described in section 1 shall remain in full force and effect and shall be carried out and administered by said service under the direction of the Secretary of Agriculture.

Timbering as carried on by the United States Forestry Service, under existing regulations, may be continued by the Department of Agriculture within the areas above described until such lands are formally transferred to the State of South Dakota, but no contract for the cutting of timber shall be made which will permit the removal of timber after the expiration of 10 years from effective date of this act: *Provided*, That the scenic beauty along highways and trails shall be preserved, and no timber adjacent thereto shall be cut without the consent of the State of South Dakota.

Sec. 3. That such special-use permits as are in force at the time of the actual transfer of the above-described lands to the State of South Dakota, covering cabin sites upon which substantial improvements have been made, shall thereafter occupy the same status and be subject to the same laws, rules, and regulations as are applicable to similar leaseholds granted by said State.

Sec. 4. The United States reserves all coal, oil, gas, or other minerals in the lands conveyed under this act with the right, in case any of the conveyed lands are found by the Secretary of the Interior to be more valuable for minerals therein than for park purposes, to provide by special legislation for the disposition and extraction of the coal, oil, gas, or other minerals therein: *Provided*, That in passing such legislation due regard shall be had for the rights of the State of South Dakota in the premises.

Sec. 5. That the area surrounding the Mount Rushmore National Memorial, described as follows:

In township 2 south, range 5 east, Black Hills meridian: The southeast quarter of northeast quarter and east half of southeast quarter of section 12 and the northeast quarter and the east half of southeast quarter and northwest quarter of southeast quarter of section 13 and the east half of northeast quarter of section 24.

In township 2 south, range 6 east, Black Hills meridian: The north half of southwest quarter and northwest quarter of southeast quarter of section 8 and the south half and the southwest quarter of northwest quarter of section 7 and the west half of northeast quarter and the northwest quarter and the west half of southwest quarter and the northeast quarter of southwest quarter of section 18 and the southwest quarter of northeast quarter of northwest quarter and west half of northwest quarter and northwest quarter of southeast quarter of northwest quarter of section 19, containing 1,420 acres, more or less, shall hereafter be known as the Mount Rushmore Reservation. Such reservation shall be maintained in its natural wild state, and the United States shall not permit any standing timber to be cut or removed therefrom, and shall continue to protect same against forest fires.

Sec. 6. That the grant and conveyance of the lands described in section 1 from the United States to the State of South Dakota shall become effective if and when all of the conditions herein provided for shall have been performed by the State of South Dakota to the satisfaction of the President of the United States, who shall then issue a proclamation declaring that the conditions precedent herein required have been complied with, whereupon said conveyance shall be and become complete, subject to the conditions provided in this act: *Provided*, That in the event of the failure on the part of the State of South Dakota to maintain the above-described lands for public-park purposes, the title to the lands granted by this act shall revert to the United States, and the Secretary of Agriculture and the Secretary of the Interior are hereby authorized to determine the facts and report to the President, who may then declare a forfeiture and reversion, whereupon such lands shall be restored to the United States.

The preamble was agreed to.

#### TAX EXEMPTION OF PROPERTY OF DAUGHTERS OF 1812

The bill (S. 6023) to exempt from taxation certain property of the National Society United States Daughters of 1812 in the District of Columbia was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the property situated in square No. 210 in the city of Washington, D. C., described as lot 811, occupied

and used by the National Society United States Daughters of 1812, is hereby exempt from all taxation so long as the same is so occupied and used, subject to the provisions of section 8 of the act of March 3, 1877, as amended and supplemented (D. C. Code, title 20, sec. 712), providing for exemptions of church and school property.

#### CLAIMS OF GRAIN ELEVATORS AND GRAIN FIRMS

The joint resolution (H. J. Res. 303) to amend Public Resolution No. 80, Seventieth Congress, second session, relating to payment of certain claims of grain elevators and grain firms, was announced as next in order.

Mr. HOWELL. Mr. President, I have discussed this measure with the Senator from Iowa [Mr. BROOKHART], who reported the joint resolution, and I request that it be recommitted to the Committee on Claims.

The PRESIDENT pro tempore. Is there objection? The Chair hears none and the joint resolution is recommitted to the Committee on Claims. That completes the calendar.

#### CHANGE OF REFERENCE

On motion of Mr. REED, the Committee on Military Affairs was discharged from the further consideration of the bill (S. 342) for the relief of Charles F. Dalton, and it was referred to the Committee on Naval Affairs.

#### REDUCED RATE OF FARE FOR DISTRICT SCHOOL CHILDREN

Mr. THOMAS of Oklahoma submitted an amendment intended to be proposed by him to the joint resolution (S. J. Res. 105) to authorize the merger of street-railway corporations operating in the District of Columbia, and for other purposes, which was referred to the Committee on the District of Columbia.

#### THE RECLAMATION FUND

Mr. THOMAS of Idaho. Mr. President, from the Committee on Irrigation and Reclamation I ask unanimous consent to report back favorably, with amendments, Senate bill 6046, to authorize advances to the reclamation fund, and for other purposes; and then I desire to ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. Without objection, the report will be received. The Senator from Idaho asks unanimous consent for the present consideration of the bill, which will be read for the information of the Senate.

The Chief Clerk read the bill.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

The PRESIDENT pro tempore. The amendments of the committee will be stated.

The amendments were, on page 1, line 4, after the words "Secretary of the Interior," to insert "and upon approval of the President," and in line 10, after the numerals "1902," to insert "and now under way," so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Treasury is authorized, upon request of the Secretary of the Interior, and upon approval of the President, to transfer from time to time to the credit of the reclamation fund created by the act of June 17, 1902 (32 Stat. L. 388), such sum or sums, not exceeding in the aggregate \$5,000,000, as the Secretary of the Interior may deem necessary for the construction and operation of reclamation projects authorized under said act of June 17, 1902, and now under way, and acts amendatory thereof or supplementary thereto.

Sec. 2. That reimbursement of the moneys so advanced under the provisions of this act shall be made by transfer annually of the sum of \$1,000,000 from the reclamation funds to the general funds in the Treasury, beginning July 1 next succeeding the year in which reimbursement of the funds advanced to the reclamation fund under the act of June 25, 1910 (36 Stat. L. 835), as amended, shall have been completed.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### AMENDMENT OF DISTRICT TRAFFIC ACTS

Mr. KEAN. Mr. President, I ask unanimous consent to recur to Order of Business 1411, Senate bill 5249.

The PRESIDENT pro tempore. Is there objection?

Mr. JOHNSON. Mr. President, I will ask the Senator to state what the bill is.



The PRESIDENT pro tempore. It is a bill to amend the traffic acts of the District of Columbia, and for other purposes.

Mr. JOHNSON. Yes; I see that, but I was wondering what it provided.

Mr. KEAN. The bill provides for regulating traffic in the District of Columbia, regulating lights, regulating street cars, and the different traffics in the District.

Mr. JOHNSON. I have no objection to that. I thought possibly it was a bill regulating individuals.

Mr. BLEASE. Mr. President, I objected to that bill; but the Senator from Wisconsin [Mr. BLAINE] assures me that the fines have been reduced instead of increased. I am opposed to violation of these laws; and for that reason I withdraw any further objection.

Mr. GEORGE. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. GEORGE. Is this a House bill?

Mr. KEAN. Yes; this is a House bill, amended.

Mr. GEORGE. If it is a House bill I object, because I think it ought to have a little more consideration.

Mr. KEAN. It is amended with the Senate bill.

Mr. GEORGE. It has not passed the House?

Mr. KEAN. It has passed the House.

Mr. GEORGE. I object, Mr. President.

The PRESIDENT pro tempore. Objection is made.

#### RECESS

Mr. McNARY. Mr. President, I move that the Senate take a recess until 12 o'clock noon to-morrow.

The motion was agreed to; and (at 10 o'clock and 34 minutes p. m.) the Senate took a recess until to-morrow, Wednesday, February 11, 1931, at 12 o'clock meridian.

#### NOMINATIONS

*Executive nominations received by the Senate February 10 (legislative day of January 26), 1931*

##### POSTMASTERS

###### ALABAMA

L. Rather Day to be postmaster at Decatur, Ala., in place of W. E. Crawford. Incumbent's commission expired January 7, 1931.

Kate E. Gilbert to be postmaster at Geiger, Ala., in place of K. E. Gilbert. Incumbent's commission expired December 13, 1930.

###### ARIZONA

Mary A. McGee to be postmaster at Florence, Ariz., in place of M. A. McGee. Incumbent's commission expired December 13, 1930.

Patrick D. Ryan to be postmaster at Fort Huachuca, Ariz., in place of P. D. Ryan. Incumbent's commission expired December 13, 1930.

###### ARKANSAS

Thomas S. Reynolds to be postmaster at Bradley, Ark., in place of T. S. Reynolds. Incumbent's commission expires February 24, 1931.

###### CALIFORNIA

John L. Ross to be postmaster at Beverly Hills, Calif., in place of J. L. Ross. Incumbent's commission expired February 5, 1931.

Mildred E. Millett to be postmaster at Dos Palos, Calif., in place of M. E. Millett. Incumbent's commission expires February 24, 1931.

Carroll V. Crawford to be postmaster at Jacumba, Calif., in place of G. F. Haeussler, resigned.

Alice E. Tate to be postmaster at Lone Pine, Calif., in place of A. E. Tate. Incumbent's commission expires February 10, 1931.

Caroline H. Hackney to be postmaster at Parlier, Calif., in place of C. H. Hackney. Incumbent's commission expires February 24, 1931.

William A. Hensel to be postmaster at Soquel, Calif., in place of W. A. Hensel. Incumbent's commission expires February 24, 1931.

###### HAWAII

Arcenio H. Silva, jr., to be postmaster at Kahului, Hawaii, in place of A. H. Silva, jr. Incumbent's commission expires February 24, 1931.

###### ILLINOIS

Anna M. Tennysen to be postmaster at Manhattan, Ill., in place of A. M. Tennysen. Incumbent's commission expires February 24, 1931.

Anton J. Berta to be postmaster at South Wilmington, Ill., in place of A. J. Berta. Incumbent's commission expires February 24, 1931.

###### INDIANA

William H. Hallway to be postmaster at Hope, Ind., in place of W. H. Hallway. Incumbent's commission expires February 24, 1931.

Edward M. Ray to be postmaster at Scottsburg, Ind., in place of E. M. Ray. Incumbent's commission expired December 13, 1930.

###### IOWA

Hazel N. Chapman to be postmaster at Bagley, Iowa, in place of H. N. Chapman. Incumbent's commission expired December 16, 1930.

###### KANSAS

William H. Dittmore to be postmaster at Severance, Kans., in place of W. H. Dittmore. Incumbent's commission expires February 16, 1931.

Franklin S. Adams to be postmaster at Waterville, Kans., in place of F. S. Adams. Incumbent's commission expires February 24, 1931.

###### KENTUCKY

William S. Jagers to be postmaster at Hodgenville, Ky., in place of L. M. McCubbin, removed.

###### LOUISIANA

Charles F. A. Brown to be postmaster at Baton Rouge, La., in place of S. Y. Watson, resigned.

###### MARYLAND

George M. Mowell to be postmaster at Glencoe, Md. Office became presidential July 1, 1930.

###### MICHIGAN

Joseph D. Watson to be postmaster at Homer, Mich., in place of J. D. Watson. Incumbent's commission expires February 24, 1931.

###### MINNESOTA

Charles Olson to be postmaster at Sturgeon Lake, Minn., in place of Charles Olson. Incumbent's commission expired December 17, 1930.

Christian Scott to be postmaster at Truman, Minn., in place of T. C. Radde, resigned.

###### MISSISSIPPI

Myrtle Starnes to be postmaster at Brookville, Miss., in place of G. A. McCuen. Incumbent's commission expired February 23, 1930.

###### MISSOURI

Benonia F. Hardin to be postmaster at Albany, Mo., in place of B. F. Hardin. Incumbent's commission expired January 15, 1931.

Walter N. Langford to be postmaster at Appleton City, Mo., in place of D. D. Scroggs. Incumbent's commission expired May 14, 1930.

Walter C. Haferkamp to be postmaster at Augusta, Mo., in place of W. C. Haferkamp. Incumbent's commission expired January 22, 1931.

Louis E. Meyer to be postmaster at Bowling Green, Mo., in place of L. E. Meyer. Incumbent's commission expired January 15, 1931.

Willis M. Wallingford to be postmaster at Carthage, Mo., in place of W. M. Wallingford. Incumbent's commission expires February 24, 1931.



Prentiss H. Percifull to be postmaster at Cowgill, Mo., in place of P. H. Percifull. Incumbent's commission expired January 22, 1931.

James O. Erwin to be postmaster at Mokane, Mo., in place of J. O. Erwin. Incumbent's commission expired January 28, 1931.

Cyrus R. Truitt to be postmaster at Novinger, Mo., in place of C. R. Truitt. Incumbent's commission expired January 29, 1931.

Elvin L. Renno to be postmaster at St. Charles, Mo., in place of E. L. Renno. Incumbent's commission expired January 15, 1931.

Felix J. Boesche to be postmaster at Unionville, Mo., in place of F. J. Boesche. Incumbent's commission expired January 22, 1931.

## NEBRASKA

Julius J. Weidner to be postmaster at Humphrey, Nebr., in place of Thomas Werner, deceased.

## NEW YORK

Naomi S. Tompkins to be postmaster at Copiague, N. Y. Office became presidential July 1, 1930.

T. Frank Walker to be postmaster at Lockport, N. Y., in place of F. M. Bredell. Incumbent's commission expired December 21, 1929.

## NORTH CAROLINA

Isaac F. Snipes to be postmaster at Ahoskie, N. C., in place of J. O. Carter, resigned.

William R. Stephens to be postmaster at Leaksville, N. C., in place of J. B. Fagg. Incumbent's commission expired June 16, 1930.

James W. Smith to be postmaster at Pembroke, N. C., in place of F. K. Thagard, resigned.

## OHIO

Harley F. Hambel to be postmaster at Glouster, Ohio, in place of H. F. Hambel. Incumbent's commission expires February 24, 1931.

Edward J. Cranmer to be postmaster at Ostrander, Ohio, in place of E. J. Cranmer. Incumbent's commission expired February 4, 1931.

## OKLAHOMA

John R. Wilson to be postmaster at Crescent, Okla., in place of R. E. Godfrey, removed.

## PENNSYLVANIA

Robert M. Smith to be postmaster at Centre Hall, Pa., in place of R. M. Smith. Incumbent's commission expired January 13, 1930.

Patrick S. Lomire to be postmaster at Coalport, Pa., in place of D. A. Strayer, removed.

Robert M. Barton to be postmaster at Duncannon, Pa., in place of R. M. Barton. Incumbent's commission expired December 16, 1930.

Inez B. Rex to be postmaster at Irvona, Pa., in place of I. B. Rex. Incumbent's commission expired June 22, 1930.

George D. Claassen to be postmaster at Natrona, Pa., in place of G. D. Claassen. Incumbent's commission expires February 28, 1931.

Newton M. Eppinger to be postmaster at North Bessemer, Pa. Office became presidential July 1, 1930.

Frank H. McCully to be postmaster at Osceola Mills, Pa., in place of F. H. McCully. Incumbent's commission expired December 22, 1930.

Coleman A. Wingard to be postmaster at Spring Mills, Pa., in place of H. M. Allison. Incumbent's commission expired April 19, 1930.

## SOUTH CAROLINA

Charles C. Withington to be postmaster at Greenville, S. C., in place of H. A. Costner. Incumbent's commission expired July 3, 1930.

## TEXAS

Clyde H. Risley to be postmaster at Asherton, Tex., in place of Fay Richardson, resigned.

John A. Weyand to be postmaster at Carmine, Tex., in place of J. A. Weyand. Incumbent's commission expired January 17, 1931.

McDougal Bybee to be postmaster at Childress, Tex., in place of McDougal Bybee. Incumbent's commission expired January 25, 1931.

Frank A. Blankenbeckler to be postmaster at Cisco, Tex., in place of J. W. Triplitt, resigned.

Maude Cavender to be postmaster at Encinal, Tex., in place of Maude Cavender. Incumbent's commission expired December 11, 1930.

Sidney O. Hyer to be postmaster at Frost, Tex., in place of S. O. Hyer. Incumbent's commission expired January 6, 1931.

William E. Singleton to be postmaster at Jefferson, Tex., in place of W. E. Singleton. Incumbent's commission expired December 13, 1930.

Oscar O. Ashenhurst to be postmaster at Lorena, Tex., in place of O. O. Ashenhurst. Incumbent's commission expired January 6, 1931.

E. Otho Driskell to be postmaster at Mansfield, Tex., in place of E. O. Driskell. Incumbent's commission expired January 22, 1931.

## UTAH

Clifford I. Goff to be postmaster at Midvale, Utah, in place of C. C. Hansen, removed.

## VIRGINIA

Abram K. Sampson to be postmaster at Burkeville, Va., in place of A. K. Sampson. Incumbent's commission expired December 22, 1930.

Matilda W. Campbell to be postmaster at Greenville, Va. Office became presidential July 1, 1930.

George W. Horton to be postmaster at Pennington Gap, Va., in place of J. R. Barron. Incumbent's commission expired February 8, 1928.

## WASHINGTON

Frank Givens to be postmaster at Port Orchard, Wash., in place of Frank Givens. Incumbent's commission expires February 10, 1931.

## WEST VIRGINIA

John W. Kastle, jr., to be postmaster at Martinsburg, W. Va., in place of J. W. Kastle, jr. Incumbent's commission expired June 28, 1930.

## WISCONSIN

Blanch Lyon to be postmaster at East Ellsworth, Wis., in place of Blanch Lyon. Incumbent's commission expires February 24, 1931.

James C. Fritzen to be postmaster at Neenah, Wis., in place of J. C. Fritzen. Incumbent's commission expires February 24, 1931.

Wesley C. Hymer to be postmaster at Potosi, Wis., in place of W. C. Hymer. Incumbent's commission expires February 24, 1931.

Blanche Delany to be postmaster at Sinsinawa, Wis., in place of Blanche Delany. Incumbent's commission expires February 24, 1931.

Fred J. Hurless to be postmaster at Viola, Wis., in place of F. J. Hurless. Incumbent's commission expires February 24, 1931.

Nathaniel C. Garland to be postmaster at Sturgeon Bay, Wis., in place of N. C. Garland. Incumbent's commission expires February 24, 1931.

## CONFIRMATION

*Executive nomination confirmed by the Senate February 10 (legislative day of January 26), 1931*

ASSOCIATE JUSTICE OF THE COURT OF APPEALS, DISTRICT OF COLUMBIA

D. Lawrence Groner to be an associate justice of the Court of Appeals, District of Columbia.



## HOUSE OF REPRESENTATIVES

TUESDAY, FEBRUARY 10, 1931

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

God be merciful unto us and bless us and cause His face to shine upon us. In our lives let everything be put aside that is not essential to more thought, pure friendship, and deep emotions. Withdraw the veil from the eyes of men, Father of Mercies, that they may know that Thou hast made everything beautiful in its time. Do Thou spare our country from egotism, self-confidence, and exasperated resentment. Deliver our wonderful land from the inconsistencies and fiery excesses of the misguided agitators. Bring all men together in the bonds of wise cooperation and in unity of spirit. Take them, O God, and bind their very souls to Thy holy altar, where the wickedness of class hatred may be forever crucified. Spread Thy shadow over our entire country and bring it into that era wherein happiness and contentment are all but universal from border to border and from sea to sea. In the name of Jesus of Nazareth, the friend of man. Amen.

The Journal of the proceedings of yesterday was read and approved.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 16415. An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1932, and for other purposes.

## PUBLIC BUILDING CONSTRUCTION

Mr. ELLIOTT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 16297) to amend the act entitled "An act to provide for the construction of certain public buildings and for other purposes," approved May 25, 1926, and acts amendatory thereof, with Senate amendments, and disagree to the Senate amendments and ask for a conference.

The SPEAKER. The gentleman from Indiana [Mr. ELLIOTT] asks unanimous consent to take from the Speaker's table the bill H. R. 16297, with Senate amendments, which the Clerk will report.

The Clerk read the title of the bill.

Mr. GARNER. Reserving the right to object, I understand from the gentleman that this is entirely agreeable to the gentleman from Tennessee?

Mr. ELLIOTT. Yes. He is here now.

Mr. GARNER. Yes; I know the gentleman is here, but I want the RECORD to show that fact.

Mr. ELLIOTT. Yes. I took it up with him this morning.

The SPEAKER. Is there objection to the request of the gentleman from Indiana? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. ELLIOTT, TAYLOR of Tennessee, and LANHAM.

## GEORGE ROGERS CLARK SESQUICENTENNIAL COMMISSION

Mr. LUCE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2643) to amend the joint resolution establishing the George Rogers Clark Sesquicentennial Commission, approved May 23, 1928, with House amendments, insist upon the House amendments, and agree to the conference and ask for the appointment of conferees.

The SPEAKER. The gentleman from Massachusetts [Mr. LUCE] asks unanimous consent to take from the Speaker's table the bill S. 2643, with House amendments, insist on the House amendments, and agree to a conference. The Clerk will report the bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. GARNER. Reserving the right to object, may I ask the gentleman from Massachusetts whether this is agreeable to the Democratic conferee?

Mr. LUCE. The Democratic conferee has shared with the Republicans in unanimous action upon this entire matter.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. LUCE, HOOPER, and WARREN.

## PROMOTION OF HEALTH AND WELFARE OF MOTHERS—MINORITY VIEWS

Mr. MERRITT. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. BECK] and myself may be permitted to file minority views on the bill (S. 255) for the promotion of the health and welfare of mothers and infants, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut [Mr. MERRITT]?

There was no objection.

Mr. BANKHEAD. Mr. Speaker, the Members have got into the habit of going down into the well of the House, close to the Speaker, to make these requests, and the general membership of the House can not hear them. May I suggest it would be more advantageous to all of us if the Members of the House, when making requests of the Speaker, would stand in their places in the body of the Chamber.

The SPEAKER. The Chair thinks the gentleman from Alabama is entirely correct and hopes the Members will be governed accordingly.

## REPORT OF SPECIAL COMMITTEE TO INVESTIGATE COMMUNIST ACTIVITIES

Mr. FISH. Mr. Speaker, I ask unanimous consent for the present consideration of Senate Concurrent Resolution 38, and if this permission is granted, I shall wish to offer some amendments.

The SPEAKER. The gentleman from New York [Mr. FISH] asks unanimous consent for the present consideration of Senate Concurrent Resolution 38, which the Clerk will report.

The Clerk read the resolution as follows:

## Senate Concurrent Resolution 38

*Resolved by the Senate (the House of Representatives concurring), That there be printed 33,000 additional copies of House Report No. 2290, Seventy-first Congress, being a report of the special committee to investigate communist activities in the United States, of which not to exceed 25,000 copies shall be printed for the use of, and as may be directed by, the special committee appointed by the House of Representatives; 5,000 copies for the document room of the House, and 3,000 copies for the document room of the Senate.*

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. LA GUARDIA. Mr. Speaker, reserving the right to object, how many copies have been printed to date?

Mr. FISH. Ten thousand, I think.

Mr. LA GUARDIA. And this resolution would authorize 33,000 more?

Mr. FISH. This resolution would authorize 33,000 more.

Mr. LA GUARDIA. The gentleman has an amendment which he expects to offer which will increase that amount?

Mr. FISH. No. The amendment provides that the copies will not go to the committee, but go direct to the document room.

Mr. LA GUARDIA. Is there a demand for 33,000?

Mr. FISH. Yes; and more than that.

Mr. STAFFORD. Reserving the right to object, as the resolution is framed, it seems to me it is for propaganda purposes and not for the use of the special committee directly or for the use of the Members of the House. The resolution reads, "Shall be printed for the use of and as may be directed by the special committee."

Mr. FISH. I am going to move at the proper time to strike out that language.

Mr. STAFFORD. When the gentleman was here more than a week ago the gentleman brought this resolution up, and that evening I gave some consideration to a substitute. I did not know the gentleman had returned to the city. I



have that study in my office, and I ask the gentleman to withdraw his request for the present until I can have access to my file.

Mr. FISH. Very well. Mr. Speaker, I ask unanimous consent to withdraw my request for the present.

The SPEAKER. Without objection, it is so ordered. There was no objection.

#### DROUGHT RELIEF

Mr. PARKS. Mr. Speaker, I ask unanimous consent that I be permitted to extend my remarks in the RECORD by printing a telegram from the Senate of Arkansas with reference to drought relief.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas [Mr. PARKS]?

There was no objection.

Mr. PARKS. Mr. Speaker, under the leave to extend my remarks in the RECORD I include the following telegram from the Senate of Arkansas with reference to drought relief:

LITTLE ROCK, ARK., February 9, 1931.

HON. TILMAN B. PARKS,  
Member of Congress, Washington, D. C.

DEAR TILMAN: The Senate of Arkansas unanimously voted absolute confidence in the Arkansas delegation in matters now pending in the United States Congress, and are willing to take the judgment of our Representatives and Senators, knowing that no stone will be left unturned by you to get for us all the relief possible. We think, however, it advisable to accept the compromise if by continuing the fight there will be a great probability that no relief would be obtained.

Respectfully,

M. E. SHERLAND, Secretary.

(By direction of Senate.)

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries.

#### NAVAL APPROPRIATION BILL

Mr. FRENCH. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 16969) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1932, and for other purposes. Pending that, I ask unanimous consent that the time for general debate be equally divided between the gentleman from Kansas [Mr. AYRES] and myself. Perhaps I should say that there are so many requests for time that I do not see how we are justified in asking to limit the time at this moment.

The SPEAKER. The gentleman from Idaho moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of House bill 16969. Pending that, he asks unanimous consent that the time for general debate be equally divided and controlled by himself and the gentleman from Kansas [Mr. AYRES]. Is there objection?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Idaho.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 16969, with Mr. LEHLBACH in the chair.

The Clerk read the title of the bill.

Mr. AYRES. Mr. Chairman, I yield five minutes to the gentleman from Louisiana [Mr. SANDLIN].

Mr. SANDLIN. Mr. Chairman, on yesterday a statement was made on the floor of the House to the effect that Col. Campbell B. Hodges, the President's aide, had been sent to Arkansas either by the President or the Secretary of War to report on conditions there and that he probably had his report written before he left the city of Washington.

I want to say that I have been in full sympathy with all those who have been urging adequate relief for the drought-stricken sections of this country and I am one who has been urging that adequate relief measures be passed and I still think this should be done. In this respect I am in accord

with the gentleman from Arkansas, who referred to the report made by the President's aide, Colonel Hodges, but I am unable to concur in what he said about this report. I want to state that I have known Colonel Hodges for 30 years; his home is in the district which I have the honor to represent, and I have known his family all my life. I know him to be an honest, upright, fearless citizen and official. I think it was fortunate indeed that a man who by birth and rearing is thoroughly acquainted with conditions in that section of the country and in sympathy with any movement to relieve the conditions which now exist there, was selected to make this investigation and report back to the President. I am sure his report will greatly contribute to a correct administration of the law and the regulations which are made to carry out any measures enacted by Congress to relieve the drought-stricken sections.

Mr. PARKS. Will the gentleman yield?

Mr. SANDLIN. Yes; I will be glad to yield.

Mr. PARKS. Mr. Chairman, I want to say that I did say what my distinguished friend attributes to me. It was said, I might say, thoughtlessly and it ought not to have been said. I regret that I did say it; I had no intention at that time of reflecting on this gentleman, and I hope the gentleman from Louisiana will accept this statement, because I know what he says is the absolute truth. I regret I said it. [Applause.]

Mr. SANDLIN. I gladly accept the gentleman's statement.

Mr. FRENCH. Mr. Chairman, I yield five minutes to the gentleman from Oklahoma [Mr. O'CONNOR]. [Applause.]

Mr. O'CONNOR of Oklahoma. Mr. Chairman, we noticed in yesterday's press that certain gentlemen representing the communists in various parts of the country were to assemble in the Capital to-day and that they were to appear in the House and the Senate and present their petition; and if permission was refused to do this they were going ahead and do it anyway. Any citizen group or class has the right to petition his Government for redress of grievances, but he should do so in the customary, legal, and orderly manner. Such a way is open to the communist committee, but that method would not give them the thing they want, which is above all else publicity. The last thing in the world they would want to happen would be to have the Speaker invite them to lunch with him and explain to them the rules of the House and the manner in which their petition should be presented, and that they would be treated in this respect no better or no worse than any other group of citizens. Such a method would not be grandstand enough and give the publicity and further urge for membership. The communists are like many other organizations; they would be terribly disappointed if their object could be immediately accomplished, because if that were done they would find themselves out of a job. Without a further program there would be no need for organization, which always carries with it dues and paid officers and employees.

To my mind the challenge of communism to our present form of Government and the right to private property in the last analysis simmers down to this: Which system will prove in the long run to afford the better for the support, development, and survival of civilization.

In my opinion, capitalism can not successfully compete with communism, or, in other words, no private industry that must pay high wages which will maintain a decent standard of living (without which a liberty-loving people can not keep their self-respect or long maintain their freedom) can compete for business with a nation which has taken over all the resources and property of the country and has put everybody in servitude, whether voluntary or involuntary, and has fixed what they shall do and what they are to receive therefor.

With depression and unemployment existing largely throughout the world we see newspaper dispatches (which, of course, may not be true) to the effect that the man power of Russia is all employed and now they are drawing upon the women of the land and placing them in active fields of labor.



Although we have not recognized the Russian Government (if any there be) we have given them aid and comfort. We are making investments of private capital, we are furnishing them our modern machinery of production, and are furnishing them our engineers. With our modern machinery, with our intelligent leadership to develop mass production, and with their tremendous labor power mobilized by the state and at an insignificant cost, private enterprise in no country in the world can meet their price or competition when their 5-year program is perfected.

This House is shortly going to be asked to pass legislation placing a partial temporary embargo on the importation of crude oil. Russia has immense oil resources. They are just beginning to develop them, and it will not be long until their oil can be dumped on our shores and their oil and refined products will take away from us our foreign markets. We must protect the markets of this country for our own people.

Whether our system or the soviet system wins out in the long run will depend not nearly so much on what is done by the national lawmakers of the Capitol as it will depend upon the vision, the statesmanship, the ability to think in terms of social good and permanent welfare of society, and not merely in terms of dividends on the part of those who are charged with the industrial leadership of this Nation and who make its program and mold its policy.

"Where there is no vision the people perish." Our future and the future of our institutions depend for their survival and existence on the high plane of thought of the people of this country when dealing with our governmental, social, and economic problems.

Our problems will never be solved and evils will never be remedied by looking in the wrong places for the cause, or looking in other wrong places for the cure. To me it is folly to look to the Government at Washington as a sort of a shrine where all human ills can be cured.

I have in my hand a letter from one of my constituents which may or may not have been written in a facetious spirit, but I am going to read it to you, as it paints a picture of the condition in which millions of the people find themselves, as well as the philosophy that they think it is the Government's business to pull them out. The people in the condition described in this letter are not those in serious want, those for whom we have been appropriating money to help—and no one would go further and feel more sympathy than I to relieve poverty and suffering.

The people who find themselves in the situation described in this letter are not yet in the bread line, but the persual of such a course to its extreme makes them candidates for that position. It shows in short how easy it is to keep one's self poor trying to make everyone else believe we are rich—the habit of putting everything in the window and having nothing left on the shelf when the test of a sane, well-balanced life and society is to be able to cut one's clothes from the cloth he has, and the artistry comes in making them fit.

I will ask you now to listen to the reading of these words. I learned to talk before I learned to read, so I do not read as well as I speak. [Laughter.]

TULSA, OKLA., February 6, 1931.

MR. CHARLES O'CONNOR.

DEAR MR. O'CONNOR: Ye gods! We've got bills from the butcher, grocer, baker, plumber, barber, clothier, realtor, hairdresser, printer, cleaner, tailor, gunsmith, florist, dentist, optometrist, druggist, locksmith, physician, obstetrician, chiropractor, osteopath, the veterinarian, the hospital, the garbage collector, loan company, laundry, light company, gas company, water company, milkman, iceman, telephone company, telegraph company, building and loan association, and our collection, defense, and divorce attorneys.

Payments are due on our radio, frigidaire, washing machine, goldfish, and automobile, including tires, repairs, gas and oil, greasing, washing, top dressing, wrecks, parking space, batteries, and fenders since the wife learned to drive; and we owe our maid, stenographer, chauffeur, butler, and porter. There's rent on our house, office, and garage, and we've got huckster, automobile, marriage, driver, and dog licenses to buy.

Our dues are past due in the American Legion, Better Business Bureau, Boy Scouts, chamber of commerce, church, community fund, Hod Carrier's Union, credit men, purchasing agents, country club, public health association, Salvation Army, retail merchants

Young Men's Christian Association, Young Women's Christian Association, yeoman, Elks, Knights of Columbus, Knights of Pithias, Masons, Modern Woodmen, Odd Fellows, Veterans of Foreign Wars, and Jewish relief, and we owe the insurance man for life, fire, tornado, compensation, title, accident, plate glass, educational, hail, unemployment, public liability, property damage, business, theft, collision, explosion, forgery, furs, golfer's liability, livestock, rain, disability, group, jewelry, and riot policies.

We've got cigarettes, tobacco, magazines, theaters, bridge and poker parties to pay for, baby shoes, booze, gloves, hose, corsets, diapers, dresses, and doodads to buy, and if there's any left there's the tax collector waiting for his general, special, paving, personal, amusement, income, ad valorem, property, gasoline, township, school, poll, dog, and sewer taxes.

We can't die because the undertaker's charges are too much, and we ask you, How the hell can we keep on livin' if you don't loosen up and do something for us?

Expectantly.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

MR. FRENCH. Mr. Chairman, I yield the gentleman one more minute.

MR. O'CONNOR of Oklahoma. What I am going to say in this one minute is what caused me to get up here this morning.

I opposed the appointment of the Fish investigating committee because I said its chief result would be to give wide publicity to the communist movement and that hundreds would hear and know of the teaching of communism where one knew of it before. I believe I spoke as a prophet.

Shortly after the break of day this morning the moving-picture men and the camera men were surrounding the Capitol with their picture machines, gathered here on Government ground. In my opinion, they have no business there and whoever is charged with the use of these grounds should see to it that they were not there except when given permission. [Applause.]

Why are they there? They are hoping that something will happen. Their presence may help something to happen, because no matter how orderly the crowd assembles, some of these agitators or some one in the crowd for that purpose would make it their business to do something so that some policeman would grab them or club them, and then we have action. Then the hero is in the pictures and the movies and pictures are in the paper and on the screen and a big hullabaloo going out all over the country and the world that we are having riots at the National Capitol.

I tell you, gentlemen, we ought to use our heads and not play into the hands of these seekers of cheap publicity, and if our industrial system and our Government falls it will not be because of any lack of good intentions on our part but because of our stupidity, as shown by our playing into the hands of these agitators and giving them the very thing which they seek—world-wide, free, sensational publicity—publicity which they do not deserve and should not have.

MR. FRENCH. Mr. Chairman, I yield two minutes to the gentleman from Minnesota [Mr. NOLAN].

#### MINNEAPOLIS SYMPHONY ORCHESTRA

MR. NOLAN. Mr. Chairman, ladies and gentlemen of the committee, it is my honor to represent in this body the city of Minneapolis, one of the most attractive cities in the United States. I think this statement will be borne out by the gentlemen who have had the privilege of visiting Minneapolis.

We are proud of many things that our city has done, but there is no institution in the city of Minneapolis in which the people of that city and State take greater pride than in the Minneapolis Symphony Orchestra, one of the finest musical organizations of its kind to be found anywhere. [Applause.]

The Minneapolis Symphony Orchestra has been making a tour of the United States, and has visited our neighbors at the North and at the South. It carries the name of our city. The people of Minneapolis maintain this organization, and it is going to appear here in the city of Washington on Thursday afternoon, Lincoln's Birthday, at the National Theater, at 4.30. I commend this organization to those of you who desire to hear the highest type of musical composi-



tion played by one of the greatest organizations of its kind in this country. [Applause.]

Mr. FRENCH. Mr. Chairman, so many items in the bill that the Committee on Appropriations is bringing to the attention of the House to-day will be considered under the five-minute rule that I shall omit reference to a great many of the subjects that are of interest and which will receive attention when the bill is read under the 5-minute rule.

There is wide-spread interest on the part of our citizens in the Naval Establishment of the United States, and there is wide-spread interest on the part of Members of the House of Representatives in this arm of our defense and in the bill which we bring to you for its support. The measure that we are presenting to you this morning carries a total of \$344,342,952 for the fiscal year 1932, as against \$380,653,643 for the current fiscal year, omitting \$2,000,000 of indirect moneys which will be drawn from the supply account fund during the fiscal year.

The present bill is \$36,310,691 under the amount appropriated for the current year, and \$3,451,000 under the Budget estimate for 1932.

Perhaps at this point I should say that most of the reduction the committee made in the Budget estimates is on account of certain items that have been included in the first deficiency appropriation bill and on account of reductions in the cost of materials and supplies for the Navy. The other items where lesser sums are proposed do not amount to a great deal other than about \$400,000 on account of the Virgin Islands, the government of which hereafter will be under the jurisdiction of the Interior Department.

#### THE NAVAL ESTABLISHMENT

When we think of the Naval Establishment we naturally think of a great investment that the Government has made.

You can not think of the investment we have in all the factors that make up the Naval Establishment without realizing that its annual up-keep necessarily must draw heavily upon the National Budget.

The investment, for instance, in ships of the Navy to-day is approximately \$1,450,000,000. The investment in the shore establishment of the Navy to-day is something like \$645,000,000. Naturally, then, when you have a total investment aggregating upward of \$2,000,000,000, money must be appropriated in a degree that is rather liberal to maintain the different factors that enter into the maintenance and operation of an establishment of such large proportions.

Let me briefly indicate to you these expenditures arising under the different bureaus that have charge of the work.

In the first place, think of the establishment itself. The average life of a ship of the Navy is supposed to be 20 years—sometimes longer and sometimes not so long. If you could think of 20 years as the average life of a ship, then for the purpose of keeping the investment of \$1,450,000,000 in ships intact, you would need for that purpose a little more than \$70,000,000 per annum.

Then, again, the shore establishment is \$650,000,000 in round figures. To keep the shore establishment in good shape and in condition to perform the work the yards and plants are designed to perform requires millions of dollars.

It is these two things in the Navy, the ships afloat and the shore establishment, that occasion the maintenance and operating expenses that are administered by the different bureaus of the Navy Department, and for which we propose to appropriate for the Bureau of Engineering something like \$19,000,000; for the Bureau of Construction and Repairs, nearly \$18,500,000; for the Bureau of Yards and Docks, about \$9,000,000; and for the Bureau of Ordnance, something like \$13,000,000.

All of these appropriations, you might say, are for current upkeep and maintenance, not taking into account replacement items, which, of course, occur and constitute a considerable annual expense. There are other items. You must have officers and men. You have at the present time an annual budget for this purpose of approximately \$154,000,000 for pay, subsistence, and transportation. In addition to that, you have a great Aviation Bureau, an activity

that has come into being almost within the last 15 years, so far as effective work may be concerned. That activity is drawing at this time from the Budget something more than \$31,000,000 annually. You have the Marine Corps, another institution that is as old as our Government itself, which costs our Government annually about \$25,000,000. In addition to these huge expenditures there are other lesser amounts and I say lesser amounts only in a comparative way. I refer to the Bureau of Medicine and Surgery; to the institution at Annapolis; I refer to the experimental laboratory; I refer to the overhead of the bureaus and of the Navy Department itself. Here again we find several million dollars. The sum total of all that I have indicated goes to make up the three hundred and seventy and odd million dollars representing the naval budget, to be met by the people of our country every year.

Let us refer to a few of the larger items in the bill. In the first place, there has been some impression that the Committee on Appropriations has reduced the Naval Establishment in two ways: First, by bringing in a bill that would not permit as many ships to be in the establishment in 1932 as were in the establishment in 1931. That statement is not accurate. In other words, there have been reductions made, but not by the committee. The department has made the reductions and will continue to make them in effecting a readjustment of the operating-force program. There will be in commission during 1932 approximately 276 ships, as against 321 ships which were in commission at the beginning of the present fiscal year. Why have these reductions been made? They have been made in part as a result of the reorganization of the Navy and in part because of the possible reductions brought about by reason of the treaty that was signed in London and promulgated by the President of the United States on January 1, 1931. I do not need to recall all of the features of that treaty; I shall go into that to some extent a little later; but at this moment I merely wish to set at rest the rumor that we in some way have brought in a bill that will make it impossible for the Navy Department to maintain the ships in commission that it is thought ought to be maintained. As a matter of fact, we have provided for the ships that are estimated necessary for the Naval Establishment for 1932.

Then, again, the report has gone out that somehow or other we are reducing the officer and enlisted personnel. As to those two statements let me say again that there is an inaccuracy. We have taken some steps, which I shall discuss a little later on, that have to do with the officer personnel, not by way of reducing it but by way of avoiding expansion. You do not at this time have authorization for expansion, and we have indicated our opposition to expansion and have provided what we think will be a helpful way by which expansion may be avoided.

When it comes to the enlisted personnel, there has been a reduction in the estimates from 84,500 provided for in the current year to 79,700 in the estimates for 1932. This again has been brought about by means of reductions or withdrawals of certain ships from the Naval Establishment, chiefly on account of the reorganization made possible as a result of the London conference.

#### RESULTS OF THE LONDON NAVAL TREATY

The results of the London naval conference can be summarized as, first, definite limitation in all categories of ships of the three powers, including limitation in aircraft-carrier tonnage of units of less than 10,000-ton displacement; second, extension of replacement dates of capital ships; third, retirement of three capital ships for the United States and five for Great Britain; and, finally, definite provision that omission upon the part of a nation to build within a time provided within which construction could be had shall not be regarded as forfeiting the amount of tonnage postponed by such nation.

Just what money savings may accrue to the several powers or to the United States as a result of the conference involves



the fundamental question of whether or not the highest interests of our country and the world may be served by pursuing a moderate program within the limits laid down or by building up to the limit of authorization in all categories.

At this point I desire to place in the Record a table that will show the tonnage of the three great powers—the United States, Great Britain, and Japan—at the time the conference convened and as it will be authorized under the agreement:

*Tonnage built, building, appropriated for, or fixed by Washington conference as of January 15, 1930, contrasted with tonnage under London conference agreement*

[Data for January 15, 1930, from data sheet compiled by Office of Naval Intelligence, except authorization for aircraft carriers, which is taken from Washington treaty; data for London conference is from statement of President Hoover of April 11, 1930, and from apparently authentic press dispatches]

	United States		Great Britain		Japan	
	Tonnage, Jan. 15, 1930	London conference agreement	Tonnage, Jan. 15, 1930	London conference agreement	Tonnage, Jan. 15, 1930	London conference agreement
Battleships.....	Tons 523,400	1,460,000	Tons 606,450	1,460,000	Tons 292,000	1,264,900
Aircraft carriers.....	135,000	135,000	135,000	135,000	81,000	81,000
Cruisers.....	250,500	180,000	406,911	150,000	206,815	108,450
8-inch guns.....		143,500		189,000		100,450
6-inch guns.....		150,000		150,000		105,500
Destroyers.....	280,304	150,000	196,761	150,000	129,375	105,500
Submarines.....	87,232	52,700	69,201	52,700	78,497	52,700
	1,286,436	1,121,200	1,414,323	1,136,700	788,087	713,000

<sup>1</sup> About.

<sup>2</sup> 90,086 tons, built and building.

<sup>3</sup> 115,350 tons, built and building.

<sup>4</sup> 68,870 tons, built and building.

<sup>5</sup> 18 cruisers.

<sup>6</sup> 15 cruisers.

<sup>7</sup> 12 cruisers.

<sup>8</sup> These figures for United States and Great Britain are interchangeable.

<sup>9</sup> Includes 61 destroyers (63,991 tons) listed for disposal.

<sup>10</sup> Exclusive of 47,598 tons of craft in service but over effective age. Exclusive of 86,915 tons of craft listed for disposal.

<sup>11</sup> Exclusive of 1,695 tons of craft in service but over effective age.

<sup>12</sup> Exclusive of 69,160 tons of craft in service but over effective age.

#### CERTAIN DIRECT SAVINGS

From an examination of the table it will appear that as a result of the London conference certain tonnage increases are made possible and certain reductions in tonnage required. Let us consider both factors.

Direct money savings may be made as a result of the action of the conference. In the first place, as to battleships, the elimination of three battleships from the fleet of the United States is, in itself, no negligible item, and should result in a saving, in maintenance and operation costs alone, for each ship amounting to more than \$2,000,000 for each year they otherwise would have remained in service.

Again the measure provides for the extension of all battleship replacement dates until 1936. Within that time, were the United States to replace ships that she could replace under the Washington treaty, she would replace five completely; and five more would be in process of replacement, all of which, upon the basis of \$37,500,000 per ship, would make a total of \$281,250,000, which would be needed between now and 1936. No one can state to-day that that is an absolute saving. It is a postponement. But by 1936 it may well be that as a result of the conference which will meet the year before, or in 1935, battleships will be entirely eliminated or their numbers reduced to such an extent that the entire amount of \$281,250,000 now postponed may be saved to the Treasury of the United States, and with corresponding saving to other countries. Other direct savings will be made through the scrapping of certain destroyer and submarine tonnage.

#### WHAT WOULD WE NEED TO DO IN NEW CONSTRUCTION WORK AND MAINTENANCE OF ESTABLISHMENT UNDER THE TREATY

The question that is asked over and over is, What will be the effect of the London treaty upon the pending programs and the maintenance of naval establishments?

At once the proponents of ever-increasing navies who have been antagonistic to any limitation of armaments, who have

urged in season and out of season that the United States should determine the size of its own Naval Establishment, regardless of other powers, are now urging that under the terms of the London treaty it would be the duty of the United States and of every other nation party to the treaty to carry forward construction programs up to the entire limit of authorization in the several categories. Some very earnest people take this point of view, but, on the other hand, it is the position of all those who consciously or unconsciously have personal interests to serve.

In view of the tremendous interest in this phase of the question, I shall address myself to it specifically.

The outstanding feature of the London naval agreement is the limit that has been fixed upon tonnage of the several types. Friends of limitation regret that it was not possible for lower limits to have been attained. The fact, however, that limits were attained that on the whole fix possible tonnage at a figure below the present tonnage of nations is cause for gratitude. The fixation of construction within categories will remove competition in the vicious sense that has prevailed during past years.

But what is meant by limitation? Does it mean building up to the limit in all categories? Does it mean that there is imposed upon nations an obligation to maintain at all times and regardless of circumstances what some are pleased to call "treaty navies"?

It has been my constant thought and my earnest contention that every nation party to the agreement assumed an obligation not to build beyond the limitations imposed as to tonnage or in advance of the time within which certain craft might be laid down, but that no obligation, direct or by implication, was imposed upon any nation to build other than according to a course that would have regard for its own national needs.

What, then, shall we say as to policy?

Cardinal in the reasons for justification of navies is national and world-wide security. Limitations themselves for tonnage go far toward solving the problem of security. Assurance through these limitations is given that rival nations will not build craft of a certain type or of all types in excess of defined tonnage. It thus becomes the privilege, the opportunity, if you please, of nations to take this factor into account in formulating their naval programs.

If this be true, it follows that nations may have regard for elements that in the past under competitive building had to be ignored:

First. Financial burdens and national budgets.

Second. The problem of an even load in navy yards.

Third. The effect new building or replacement will have upon craft of the several types in comparison with the craft that other nations will have when the limitation conference of 1935 or other earlier conference may be held.

Fourth. The actual need from the standpoint of defense modified as will be this need by moderation of other nations.

#### FINANCIAL BURDENS AND NATIONAL BUDGETS

From the standpoint of burdens that are reflected through taxation that rest upon the peoples of the great world powers, it must be remembered that last year the organized military powers of the world, including reserves of the several powers aggregated nearly 30,000,000 men. This burden calls for stupendous money costs. It must be remembered that during that same period the naval budgets of the United States, Great Britain, Japan, France, and Italy were close on to \$1,000,000,000. It must be remembered that the naval burden alone for the United States was more than \$374,000,000. It can not be disputed that 72 per cent of the annual expenditures of the United States is on account of past wars or the maintenance of Military and Naval Establishments. More than that, these burdens are mounting.

I shall pass over expenses incurred in military establishments other than the Navy, but as to the Navy I desire to direct the attention of the House to the tremendous expanse of naval burdens upon the world's great powers as they have gone forward during the last 25 years.



## Naval appropriations of leading world powers

	Fiscal year		Increase (+) or decrease (-)
	1904	1929	
United States.....	\$109,196,123	\$374,608,054	+\$265,411,931
Great Britain.....	173,548,058	278,478,000	+104,929,942
Japan.....	17,553,270	131,222,722	+113,669,452
France.....	59,740,222	99,568,000	+39,827,778
Italy.....	23,522,400	63,622,982	+40,100,582
Germany.....	50,544,000	47,764,019	-2,779,981
Russia.....	60,018,895	42,329,239	-17,689,656

Mr. Chairman, with due regard for the obligation that legislative bodies owe to their constituencies, with due regard for the sacrifice that must be made by the millions of people in all countries not only of comforts of life, but in some instances bare necessities, regard must be had for ways that will mean reduction of burdens of government.

It is possible to give a fair outline of what the London treaty will cost the United States in money, provided we insist upon building up to the limitations within the treaty and construe the limitations as an obligation to build.

Turning to battleships, it would mean that the three that are to be decommissioned would be kept in full commission to the last day possible under the terms of the treaty—one year in the case of two ships and 18 months in the case of the other.

It would mean an urge to permit reckless expenditure under the guise of modernization upon any or all of the remaining battleships.

It would mean an obligation to construct 69,000 tons of aircraft carriers.

It would mean an obligation not only to construct all the 8-inch gun cruisers that the treaty permits, but in addition 75,000 tons of the 6-inch gun cruisers over and above what we have to-day.

In the matter of destroyers, it would be possible to replace 150,000 tons and between 20,000 and 25,000 tons of submarines.

More than that, it would be possible, and, of course, those who are urging the ever-expanding program would insist that it is necessary, to provide one-fourth of our 6-inch gun cruisers with landing decks for aircraft. By implication we would need to add possibly 2,000 airplanes to our aircraft program in order to supply the airplanes that would be necessary for aircraft carriers and the aviation complements possessed by other types.

Rough estimates of what this building program would cost run from \$750,000,000 to \$1,000,000,000 between now and 1936. That period of time is little less than six years. It would mean an annual naval construction program of \$125,000,000 to \$150,000,000 for the United States for fighting types of craft.

From the standpoint of national finances, I submit, there can be no justification for any such expenditure of money, an expenditure that would treble the appropriations that we have made for new construction work on an average for each of the last 10 years.

Do gentlemen hail the London conference as a success who see only that it means multiplying in this enormous fashion the cost of naval armaments? It would be a perversion of the magnificent work of President Hoover and Prime Minister MacDonald and the able delegates to the London conference to transform a limitation agreement into a mandate for expansion programs.

But, Mr. Chairman, that is not all that would be involved. Fighting craft mean auxiliary craft. Fighting craft mean expansion in navy yards. Fighting craft mean personnel, both officer and enlisted personnel. The expansion of the Navy of the United States to the limits that would be possible were that to be the interpretation of the London treaty would mean the increase of burden of naval appropriations from an average of about \$350,000,000 annually, as it has been during the last eight years, to an annual cost of between \$500,000,000 and \$600,000,000.

Mr. BRITTEN. Mr. Chairman, will the gentleman yield?

Mr. FRENCH. If the gentleman will be brief. I do not wish to yield until I have made a complete statement.

Mr. BRITTEN. Does the gentleman intend in his general time to deal further with the officer question?

Mr. FRENCH. Yes.

Mr. BRITTEN. The question of the commissioned officers?

Mr. FRENCH. Yes.

Mr. MORTON D. HULL. And will the gentleman suggest the nature of the reorganization that has resulted in this reduction of the personnel?

Mr. VINSON of Georgia. And further what he had reference to about the expansion of the Navy?

Mr. FRENCH. Let me say this generally: If I can proceed without interruption for a while I shall reach these different points. All of the questions that the gentlemen have just asked me are in my line of thought, and if the gentlemen will be patient I shall reach them in an orderly way.

Mr. VINSON of Georgia. I shall try to be patient, but does not the gentleman think that in view of the fact that this bill was reported to the House only yesterday and that the hearings were available only on Saturday last, and that not a member from the committee has yet addressed the House upon the subject, he should be generous in answering questions and in the debate?

Mr. FRENCH. Surely; and that is what I am trying to do now. We shall make much better progress if I may make a general statement, and then I shall be glad to yield. Turning immediately to the question that was raised by the gentleman from Illinois [Mr. HULL], as to the reorganizations that permitted the withdrawal of certain ships, I shall go just a little bit further into the question. Our hearings and the report indicate the withdrawals that have been or will be made. In the first place, we are withdrawing four of the battleships of the Naval Establishment. One of them, the *Utah*, will be worked over into a target ship—not to be shot at, but for the purpose of utilization for many years in connection with target practice. Another one, the *Wyoming*, will be worked over into a training ship for the use of the midshipmen at the Naval Academy and such other training missions as the department may see fit to assign. The *Arkansas* also will be used as a training ship, and the *Florida* will be disposed of. Each of these ships means a complement of officers of something like 60 or 65. It means a complement of men of something like 1,100 or 1,150, and it will be seen that right there you will have released either wholly or partly a rather large number of officers and men, who will be available for other billets.

Mr. HALE. Will the gentleman yield?

Mr. FRENCH. I yield.

Mr. HALE. Will the gentleman state right there what will happen to the *Florida*?

Mr. FRENCH. It will be scrapped, as provided for by the treaty.

Mr. HALE. As I read the report, there are four ships to be scrapped—the *Florida*, the *Arkansas*, the *Utah*, and the *Wyoming*.

Mr. FRENCH. No. The *Arkansas* will not be scrapped under the treaty, but will be used as a training ship and carry a reduced complement. We have 18 battleships, and under the London treaty we are to have 15, exclusive of the two we may retain, one as a target ship and the other as a training ship, but each demilitarized.

England has withdrawn five battleships, so she will be reduced to 15, the same as the United States.

It will be recalled in this connection that in view of the age of some of the British ships, England was permitted, as a result of the Washington conference, to have a couple more ships than the United States, because of the inferiority of some of the ships which England was permitted to retain in commission.

Then we drop down to the destroyers. Up to this year we have had 100 to 105 destroyers in commission. This coming



year we shall have only 86, plus 4 light mine layers, which are of the destroyer class.

Then we come to submarines. Submarines will be reduced from 76 to 55 in commission.

Gentlemen, these represent the main changes that involve ships and make possible the release of the men to whom I have referred. Probably it will be recognized at once that I have indicated ships, the release of which will free a larger number of enlisted men than indicated by the figures 84,500 appropriated for in the current year and 79,700 provided for in the bill we are now presenting to you. The fact of the matter is the Navy Department has felt that those ships could spare somewhat more men than that, but the demands for men within the establishment in other directions to maintain work in efficient shape require somewhat larger allotments, notably in aviation, where we have been expanding and have now a total of 11,740 men, as I recall.

I have indicated there will be certain withdrawals as a result of the London treaty.

Mr. ALLGOOD. Will the gentleman yield?

Mr. FRENCH. I yield.

Mr. ALLGOOD. Will the gentleman state what the other countries will save along that line?

Mr. FRENCH. The savings of the other countries will be in proportion to the savings of the United States.

Mr. ALLGOOD. The savings will run into millions of dollars?

Mr. FRENCH. It will run into hundreds of millions of dollars.

Mr. HALE. Will the gentleman yield? Does the gentleman wish to be interrupted at this point on battleships?

Mr. FRENCH. Let me proceed, and I shall be glad to yield a little later on.

#### PRACTICE UNDER WASHINGTON TREATY

Immediately following the Washington conference the question of the obligation of the United States under the terms of the treaty resulting therefrom became a subject of earnest debate. It will be recalled that that treaty fixed a limitation upon capital-ship and aircraft-carrier tonnage. It will be recalled that, as to the former, replacement dates were prescribed touching various battleships prior to which replacement might not occur, these dates varying with the different countries and having regard for the age of ships to be replaced.

The proponents of ever-increasing naval establishments urged at once that unless nations built up to the authorizations and at the time of the replacement dates they would lose the right to build. From that date until now they have been urging that the limitations recited in the treaty of Washington imposed obligations of construction as well as obligations not to construct prior to fixed dates.

Consider for a moment what has been the attitude of nations upon this subject.

As for battleships, only two nations have reached the time when replacement could be had in tonnage other than the replacement that was in process or immediately to be undertaken upon the conclusion of the Washington treaty. Great Britain was given the privilege of completing certain craft and withdrawing five of her older battleships and cruisers that she had at the time of the Washington treaty. This she did. The United States was given the privilege of completing two battleships which were under construction and withdrawing four of the older ones that she possessed in 1922 and which were to continue as part of her fleet until the new ones had been added. A like adjustment was made for Japan.

The dates for the large replacement programs, however, for all nations were ahead.

The United States, Great Britain, and Japan, in the absence of the London conference, were not to reach their replacement dates until 1931. In that year Great Britain was to have been privileged to lay down 2 battleships, the United States 2, and Japan 1.

There were two other nations parties to the treaty—France and Italy. Replacement dates for each of these nations occurred for two battleships in 1927 and 1929, respectively—

the battleships that could have been replaced in those years for each nation having an aggregate tonnage of 70,000 tons. Yet neither France nor Italy interpreted the treaty to mean that an obligation was imposed to build and neither nation laid down the craft permitted.

But it is urged by those who insist upon building up to treaty limitations that other nations that are parties to the treaty are interested, and not alone the nation that does not desire to build upon a given time.

I then submit in answer that Great Britain, the United States, or Japan did not protest to either France or Italy that those nations were violating the Washington treaty through failure to build in 1927 and 1929.

If they are correct who contend that France and Italy were obligated to build, it follows that the other parties to the treaty—the United States, Great Britain, and Japan—were guilty themselves of negligence in failure to remind France and Italy of their solemn covenants to replace their battleships when they saw that these nations were neglecting so to do. No such protests were made. I submit there was no such obligation.

At the London conference, however, both France and Italy assumed that they had not lost their right to lay down the craft that could have been laid down in 1927 and 1929, and their position was frankly and freely conceded by the conference.

Now, turn to aircraft carriers.

The five powers who were parties to the Washington agreement were allocated tonnage as follows:

	Tons
United States.....	135,000
Great Britain.....	135,000
Japan.....	81,000
France and Italy, each.....	60,000

But at the time of the London conference, what had nations done? Eight years had passed since the Washington conference was concluded, and yet during that time the United States had completed but two carriers, the *Lexington* and the *Saratoga*, with a tonnage of 66,000 and had barely begun a third of 13,800 tons. Great Britain was far short of her allocated tonnage, and much of the tonnage that she had was so obsolete that she could be justified in replacing it. This was likewise true of Japan. France had little more than one-third of her aircraft tonnage and Italy had none at all.

#### OFFICER PERSONNEL

A little while ago I was asked to refer to officer personnel. You will recall that during the last few weeks a great deal has been said by naval officers in the matter of increasing the number of officers of the Navy. The officer personnel at present is fixed by law at 4 per cent of the authorized enlisted strength of the Naval Establishment, or to-day 5,499 officers of the line, plus other officers of the different corps, the staff officers, numbering 2,000, or 3,000 more.

The naval officers are urging that we pass a measure providing that we add 2,100 officers of the line. Of course, that would mean that we would need to add other staff officers in order that the Naval Establishment would be correctly balanced. Of course, we should do no such thing as that, and why? The first reason is because the expansion of our Naval Establishment will mean the expansion of the naval establishments of Great Britain, of Japan, of France, and of Italy, and the very thing we had hoped to attain by reason of the London conference will have been crushed as you would crush the shell of an egg. You will not attain what you had hoped to attain in the way of a limitation of the military burdens that rest upon the peoples of the nations.

I said upon this floor last spring that what we do here finds its echo in other countries. Members of the Congress, that statement was borne out by the action taken by and the discussions in the different countries that are parties to the treaty. Turn to Japan. The program that was urged by the big-navy group of Japan, after that country had approved the treaty, for the expansion of her naval establishment was represented in the proposed expenditure of 450,000,000 yen. Then when it was studied by the Department of Finance of Japan it was cut in two and a compromise



finally effected, namely, 370,000,000 yen, to be expended in a progressive program during the next several years; 20,000,000 yen to be added to it, possibly, in 1935. But why this compromise? Because of the action taken by the Congress of the United States. Does anyone doubt that if we had carried through the bill of one year ago and set our eyes to a program looking to the expenditure of three-quarters of a billion dollars or a billion dollars in the next six or eight years for the construction of the Navy of the United States that Japan would have compromised in her building program? Of course she would not. It is folly to say she would. The action of the Congress of the United States last spring is responsible directly or indirectly for the action taken in the Diet of Japan.

Again, consult the debates in the British Parliament. I shall not take time to read them; but I could refer to speech after speech made on the floor of the Parliament in which complaint is made of the course that is proposed in the United States. One of the members of the Commons only a few months ago pointed out that we were proposing in the United States to raise the number of enlisted men by 6,000. Why, the gentleman was misinformed. The proposal is to raise the enlisted men's strength by something like 15,000, on the basis of the present Naval Establishment and building programs, if those who testified before our committee can have their way.

In our hearings it is disclosed that we were told that to carry the men they wanted to carry would require over 90,000 men for the manning of the ships, if they are to be permitted to keep in commission those that are now in the service or are being built. Not only this, but they say they have not enough officers; that in order to supply the officers for the ships now built and building, and to keep them in commission, you will have to increase that figure by something like 1,000, and to complete the program for a London-treaty navy you would have to increase the number of officers of the line by 2,100.

The echoes of the London debate, of the debates in the Diet of Japan, are heard in this body and the debates here will be heard in the Parliaments of those Governments; and if this Congress adopts a program that anywhere nearly approaches building up to the authorized strength of the London treaty it is going to mean that the other countries will adopt similar programs and then the expenditures for the maintenance of the Naval Establishment by your country will not be limited to \$370,000,000 but they will rise progressively and substantially until that project shall have been completed, when you will be called upon to pay certainly not less than \$500,000,000 annually to maintain the Naval Establishment that we shall have attained after we have had the several conferences for a reduction of naval armament.

Somehow it seems that I must iterate and reiterate the effect that programs of one country have upon programs of another.

I hold in my hand a copy of the parliamentary debates of the House of Commons giving the proceedings for December 19, 1930. Upon that day a member of the House of Commons, Mr. Wellock, referred to statements that were made in this Chamber. He was generous enough to refer to my own statements in which I had urged moderation, and then he said:

I could give other quotations, but I do not wish to labor the point. It is, however, a most important point, and I hope that the government will see that we in this country come far short of building up to the limits laid down in the London naval agreement. In that way I believe we shall be in a very strong position to secure a much bigger reduction in armaments when the next conference meets.

Mr. Wellock is thinking of naval reductions. He is thinking of teamwork, and he represents what I believe to be that fine body of sentiment in the great countries of the world that realizes that by friendliness, by understanding, by agreement, we can proceed with moderation under the limitation programs already adopted and that by the time another naval conference may meet we shall be in a very strong position to secure greater reduction in armaments than have been accepted in the past.

Mr. VINSON of Georgia. May I interrupt the gentleman right there, without taking him away from that line of thought? Does not the gentleman think the program that has been suggested and submitted to the Congress is in line with what the gentleman has just been saying and is, indeed, a moderate program that will not excite or increase the building activities of other nations?

Mr. FRENCH. Oh, I think in large part the program that has been proposed is in the right direction, and I should myself support the bill. There is a vast difference between a program calling for \$74,000,000 and a program calling for between three-quarters of a billion and one billion dollars.

Mr. VINSON of Georgia. I am with the gentleman on that, and therefore the gentleman's argument that we are liable to do something to excite the other nations is not founded on the facts with respect to what we have actually done, because the gentleman indorses the proposed building program now before the Congress.

Mr. FRENCH. I am discussing the possibilities that are being discussed in our country. There are a great many people in our country who are not at all satisfied with what the gentleman's committee has done in reporting a moderate bill but would like to go to the ceiling and report a bill that would care for an entire building program that would take us up to the limits permitted under the London treaty.

Mr. VINSON of Georgia. Does the gentleman think we have pursued a very moderate course?

Mr. FRENCH. I think you have.

Mr. VINSON of Georgia. And the gentleman indorses that moderate building program?

Mr. FRENCH. I would say in a general way; yes.

Mr. BRITTEN. Will the gentleman yield there for one brief question?

Mr. FRENCH. All right.

Mr. BRITTEN. Is the gentleman in favor of the American Navy being equal to the British Navy in accordance with the London treaty or is the gentleman opposed to that?

Mr. FRENCH. I shall be glad to reply. I am not in favor of the American Government trying to maintain a naval establishment merely for the purpose of keeping up with somebody. I am in favor of the Navy of our country being adequate to our needs and of our country consulting these several factors in shaping our Budget: First of all, necessarily, the needs of our great country, which are over all and stand over all; and, second, having considered that, then for us to consider the needs of our country in connection with the demands upon the public Treasury, the people of our country furnishing the moneys that go into our public Treasury, and I am opposed, under any guise, to building ships merely to keep up with some one else. [Applause.]

Because Great Britain may propose to have certain ships, we do not necessarily need to have ships to match them, nor is this generally urged other than by those who would like to build merely because Great Britain may build. There are a great many factors that must be considered—the natural wealth of our country, the fact that we are compact, the fact that Canada adjoins the United States, and a great many other factors that must be taken into account in connection with such a program. If the people of the United States and the people of Great Britain will quit making faces at each other, will quit pretending to think that they are building against each other, when any thoughtful man in either country knows it is false, we shall go a long way toward peace. [Applause.]

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. FRENCH. I yield.

Mr. OLIVER of Alabama. Perhaps no more concrete illustration of the gentleman's view can be cited than to say that the gentleman from Idaho is not opposed to the building program reported out of the Naval Affairs Committee.

Mr. FRENCH. I thank the gentleman for the suggestion; it is in line with the answer I made to the gentleman from Georgia.



Now, let me conclude and then I shall be glad to yield for an interruption, and answer such questions as may be asked.

There is one thought that I wish to emphasize at this point, and that is this: If we follow the program that ought to be followed by our country, it will be followed by others. We are doing that which the nations of the world that were parties to the Versailles treaty agreed to do when we made the demand on Germany not so many years ago. I doubt if anyone can say that the agreement there is what you could call a legally binding contract, but, on the other hand, I am frank to say, and I believe, the statement made in the preamble of the treaty is a moral obligation. It constitutes a moral obligation upon all the powers that required Germany to sign a treaty that she would not build a battleship of more than 10,000 tons and was limited to six of those ships.

What did we say? We stated in the treaty of Versailles:

In order to render possible the initiation of a general limitation of the armament of all nations, Germany undertakes directly to observe the military, naval, and air clauses that follow.

What powerful nations were participants in that treaty? The United States was one. Our Navy to-day, outside of the Navies of Great Britain and Japan, is greater than that of the other navies of the world. Great Britain was one of the powers party to the treaty. Her navy, outside of the Navy of the United States and the Navy of Japan, is greater than all of the other navies in the world.

I have told the House to-day something about the naval establishments of the other powers—France, Italy, and Japan. Those are the countries that signed the treaty with that condition upon which Germany was not to go forward, and I tell you it does challenge the conscience of the people of other countries and our good faith in making provisions in the Budget for reducing.

The gentleman a moment ago asked me with regard to what we are proposing touching the officer strength. I think the department has asked the Bureau of the Budget to recommend legislation that would add 2,100 officers to the line. We went into that question rather extensively in the hearings. Upon what does the demand rest? It rests in large part upon the expansion program, and I have said what I think of the expansion program, and we do not subscribe to it. It rests in part upon the development of the engineering and the technical work of ships requiring more and highly trained officers. It rests in part upon fire control and it rests in part upon aviation.

I recognize you can go quite a ways toward meeting the first two demands without expanding your officer strength. I shall address myself now for a few moments to one of the innovations carried in the bill, which I think should recommend itself to the Members of the Congress. One of the greatest, if not the greatest, of the causes for an increase of officer strength is on account of the Bureau of Aeronautics. Let us consider that bureau and see precisely what the demand is. We have at this time in the Bureau of Aeronautics nearly 800 officers of the line.

We have a law that fixes the allocation of officers to the several grades in the Navy—1 admiral, 4 captains, 7 commanders, 14 lieutenant commanders, 32½ lieutenants, 41½ lieutenants of the junior grade and ensigns, making a total of 100. That is the way the officer strength of the Navy is allocated generally. What do we find it to be in the Air Service? Follow closely the figures. You have 1 admiral; 3 captains, instead of 4; 7½ commanders instead of 7; 24½ lieutenant commanders instead of 14; 96 lieutenants instead of 32½; and 132½ lieutenants of the junior grade and ensigns instead of 41½. I gave you the ratio of 100. Apply it now to this service and what do you have? You have 3 admirals in the service; 9 captains—you would be entitled to 12; you have 23 commanders, slightly more than you are entitled to; you have 73 lieutenant commanders instead of 42; you have 288 lieutenants instead of 96; and you have 397 lieutenants of the junior grade and ensigns instead of 124. In other words, you have set up a service here that is drawing on the officers of the junior ranks from your cruisers and sub-

marines and battleships in a way that is absolutely indefensible. I introduced a bill about five years ago providing for flight lieutenants, who could come in and serve for, say, 5 years or 6 or 8, and then pass on out into private business. The Navy Department opposed it. Since then we have been trying to build up the opportunity for service in this line in the reserve. We are carrying to-day provision for training to completion 70 naval reservists for the Air Service.

These are men who come from the finest universities and colleges within the United States. They come from Harvard and Boston Tech and from the University of Washington and the universities of the South and the Central States—in fact, every part of the country. After they have completed the course at Pensacola and are efficient fliers, they then are permitted to go to the fleet for one year. We are carrying into this bill money that will permit them to be commissioned for another year, and at the end of that year I hope that money will be carried into the bill that will permit not only the commissioning of them for an additional year but the class that will graduate after a year's service with the fleet a year from now, and that they will be carried into the fleet and in that way will relieve the situation that exists to-day which is drawing upon the regular officers of the line of the Naval Establishment. These officers, then, will come in from the naval reserves. They will serve for several years, then they will go on back to their lines, to their business, go into the air service in private industry or elsewhere, and they will not serve to create a hump that will block promotion in the Naval Establishment generally.

Mr. BRITTEN. Mr. Chairman, will the gentleman yield?

Mr. FRENCH. Yes.

Mr. BRITTEN. Does not the gentleman feel—and I have great sympathy with what he is attempting to do—that a reserve, after all, is intended for reserve purposes? A reserve by its very name should be held for reserve purposes in time of emergency. Does not the gentleman seriously think that line officers, graduates of the Naval Academy, who are qualified in gunnery, engineering, radio, navigation, are vastly superior for aviation officers who might command a squadron in time of emergency than the type of men the gentleman is talking about, coming from the other institutions of the country?

Mr. FRENCH. I omitted to say in my general statement that under the plan we are recommending we would not undertake at all to disturb the regular normal flow of graduates from Annapolis into the Air Service. The Air Service should take from Annapolis its share, just as any other arm of the service should do. You will, from those officers, find the very officers to which the gentleman from Illinois has referred—the officers who will be trained for command—but when it comes to pilots, when it comes to the work that is done chiefly by junior officers, by the ensigns and the lieutenants, you are going to find that these officers that you draw from the reserve strength, graduates of the finest institutions in the country, possessed of as fine mental training as the graduates from the academy at Annapolis, are just as efficient, just as able, just as alert, for this purpose as officers from the Naval Academy and some officers think that they are more efficient for pilots than such officers, because they are thinking of one line alone and they do not have their minds disturbed by considering sometime commanding a destroyer or a submarine.

Mr. BRITTEN. If what the gentleman contends is correct, then why not take all of our line officers out of these wonderful institutions? Why have the Naval Academy at all?

Mr. FRENCH. Oh, no. You may just as well say that because a dog has one tail he should have six.

Mr. BRITTEN. I am talking about aviators, not dogs.

Mr. FRENCH. We are talking about needs. The gentleman is talking about something that is a perversion of the subject that we are discussing. I am talking of needs; I am talking of the regular officers of the line trained at Annapolis to take command positions in the organization.



Mr. BRITTEN. That is the very thing these reserves will be compelled to do at times.

Mr. FRENCH. Oh, no.

Mr. BRITTEN. Positively.

Mr. FRENCH. Oh, no; not generally. In peace times, under such a program as we propose, there would be the normal quota of command officers. They would be trained to take charge of command positions in other services. On the other hand, with more liberal use of aviator reservists, aviation would be supplied during peace a large number of officers of junior rank, who will take the place of the regular graduates whom to-day you are forcing into the Air Service from the academy. You are thereby drawing them off from other activities of the Navy which require specially trained men, of which the gentleman spoke, from the Naval Academy, and where you could not so well use the reservists.

Mr. BRITTEN. Of course, the gentleman is aiming to balance two sets of brains. They are both good. You might say that in many respects, as brains go, they are equal; a graduate of Harvard or of Cornell or of Notre Dame or some of the big universities; but, they are not gunnery experts; they are not trained in navigation; they are not qualified to lead a company of men or to handle a ship, and yet the gentleman says they are equal, for aviation, to the graduate of the Naval Academy. Of course, there is no comparison between the men at all.

Mr. FRENCH. But the gentleman persists in misstating the program that I have outlined. I said that for the purposes for which we are proposing to use them in aviation, the aviation reservists are equal to the graduates from the Naval Academy. There are some who think they are superior.

Mr. BRITTEN. What are the purposes?

Mr. FRENCH. For the general purposes as pilots, to which the junior officers in the Air Service are detailed, leaving for the officers of the line the command positions. The gentleman must know that in the event of a national emergency, with our Navy expanding, we would need to call upon reservists. We would even need to put them into command positions.

Mr. BRITTEN. But the gentleman does not wait until that time. The gentleman calls upon them before the emergency. That is the objection.

Mr. FRENCH. No. I have not said that.

Mr. BRITTEN. Yes. The gentleman would use them in peace time rather than in emergencies. They are reserves.

Mr. FRENCH. I am proposing to use them for a specific purpose for a limited time. [Applause.]

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. FRENCH. I yield.

Mr. VINSON of Georgia. This is a new step as far as the committee is concerned?

Mr. FRENCH. Yes.

Mr. VINSON of Georgia. This is entirely different from what exists to-day?

Mr. FRENCH. To the extent I have indicated.

Mr. VINSON of Georgia. Now, is it not a fact that the gentleman from Idaho [Mr. FRENCH] appeared before the committee some years ago and advocated that we report legislation to do this very thing?

Mr. FRENCH. No; not quite.

Mr. VINSON of Georgia. Well, in any event, the purpose was to put in the aviation service the naval reservists and assign them to it?

Mr. FRENCH. Well, it would amount to that. What I was urging was an officer who could be called a flight lieutenant, who would be commissioned in the service for about the time, I hoped, that these reservists would serve in the Naval Establishment.

Mr. VINSON of Georgia. This is one of the most important matters in the bill which the gentleman has brought before the House, and I trust the gentleman will permit it to be discussed as we go along right now. The House should know that these positions are now filled by graduates from the Naval Academy; that everyone who goes into aviation either has graduated from the Naval Academy or, I believe, 30 per cent of them are from the enlisted force. Now, the

gentleman proposes by putting 70 from the reserve this year into that service, to lessen that many from the Naval Academy. Is that not correct?

Mr. FRENCH. That would be correct.

Mr. VINSON of Georgia. Carrying out the gentleman's idea, it would shut off admissions to the Naval Academy, because that would be the natural effect. As long as the personnel for aviation is increased from the naval reservists, then admittance to the Naval Academy would necessarily be shut off.

Mr. FRENCH. No, no. We would draw from the Naval Academy the proportionate share that the other branches of the service would draw.

Mr. VINSON of Georgia. Oh, yes; but, as a matter of fact, all that come in now are to come from the Naval Academy or from the enlisted force?

Mr. FRENCH. Yes.

Mr. VINSON of Georgia. And the gentleman proposes now to shut out the officers from the Naval Academy and take in lieu thereof men who have no knowledge of nautical matters and take men from the universities to do that work. Is that not what the gentleman is proposing to do?

Mr. FRENCH. Oh, no.

Mr. VINSON of Georgia. Of course, that is what happens?

Mr. FRENCH. No. The gentleman did not follow me at all or did not interpret what I said.

Mr. VINSON of Georgia. Well, they go into the service, do they not?

Mr. FRENCH. Yes.

Mr. VINSON of Georgia. They must coordinate with the fleet, must they not?

Mr. FRENCH. Surely.

Mr. VINSON of Georgia. And it is necessary for a man to know something about the navigation of a ship, of gun-fire, of spotting, to be an effective aviator, and is it not a fact that you are proposing here to embark upon a new program and take men that have no instruction along that line and qualify them exclusively in aviation, plus one year with the fleet? Now, that is the plan. I think the House should know thoroughly about it so that if the House adopts that plan it will know where it is going. It ultimately means that the aviation branch will be filled up with naval reservists, brilliant men from the universities of the country, but they will lack fundamental training in nautical matters, necessary to coordinate with the fleet.

Mr. FRENCH. The gentleman is inaccurate—

The CHAIRMAN. The gentleman from Idaho has consumed one hour.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the gentleman from Idaho may proceed for another hour, regardless of the rules of the House.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. FRENCH. I appreciate the suggestion of the gentleman from Wisconsin [Mr. STAFFORD], but I shall endeavor not to intrude upon the House for very long.

Let me say this in reply to my friend from Georgia [Mr. VINSON]: The flow from the academy would continue to go into the Air Service in the ratio that it goes to all the other services, for duty on cruisers, on battleships, and in all the other services where officers of the line are drawn. In addition to that we are providing that the junior officers only in the Air Service would in part be drawn from this fine body of reservists, trained in the best colleges of the country, trained in the course at Pensacola for a year, trained with the fleet for one year, might after that continue to do their part for a few years with the fleet in peace time, as the gentleman himself proposed they would do in war time. Is there anything inconsistent with that? To grant the gentleman's argument would be to say that we are training these men as reservists for something for which they will not be fitted in the event of a crisis.

Mr. VINSON of Georgia. This is the trouble with the gentleman's position. In the first place, it costs approximately \$19,000 to train one of these men, and the Government is only able to get his services for a limited number



of years. After he is trained, industrial aviation might make him a very fine offer and the Navy would lose his services, whereas under the present plan when an officer is trained he must stay in the service as long as the Navy desires him, because he can only resign through the consent of the Navy.

Mr. FRENCH. That is true, but the gentleman was unfortunate when he spoke of money. The gentleman spoke of the money cost of training the reservists. The gentleman spoke of the amount that would be paid during the limited number of years the reservist would be in the service, but does the gentleman recall that it costs from \$14,000 to \$18,000 to train a midshipman until he completes his course at the academy? Does he recall that then he begins a career that carries him on through with all the pay that a regular officer receives, all the allowances he receives in addition to his pay and his retirement pay when he finally retires? In other words, for the costs that he condemns he proposes costs that are vastly greater.

Mr. VINSON of Georgia. But my friend must bear in mind that he has a dual capacity. He is qualified to do more than fly an airplane. The gentleman now proposes that these men will only be qualified, at a cost of \$19,000, to do one specific thing in the Navy. The amount the Government spends at the Naval Academy, plus the cost at Pensacola, qualifies him to do more than one thing. It qualifies him to be more than an aviator. I contend that the gentleman is merely seeking to provide an independent air service made up of naval reservists who can not expand and do anything with the Navy except fly a machine.

Mr. TABER. Will the gentleman yield?

Mr. FRENCH. I yield.

Mr. TABER. It looks to me as though the gentleman from Georgia had failed to realize that we are developing, and will develop, a very large hump in the Air Service of those who have been in a long time unless some reasonable program is adopted such as the gentleman from Idaho has outlined.

Mr. FRENCH. I am glad my colleague made that suggestion. Let me follow up the thought the gentleman from New York has brought to my mind and which I should have mentioned. I have pointed out to you the tremendous disproportion in the number of ensigns and lieutenants assigned to aviation. You can not expect to draw these splendid boys from Annapolis into the service and tell them that they will not have a chance to become fitted for the higher offices because there is not a proportionate number of offices of the higher grades. You must tell your junior officers that or you must multiply the number of admirals out of all proportion to the needs, the number of captains out of all proportion to the needs, and the same way with your commanders.

Mr. VINSON of Georgia. The gentleman knows there is nothing to that argument because the law fixes the number of admirals who can be in the Navy at 1 per cent of the total strength of the Navy, and there can only be 55 admirals in the Navy.

Mr. FRENCH. But the gentleman forgets that there will be a demand for extra admirals to take care of the hump his plan will create by reason of the disproportionate number of junior officers in aviation. When these young officers shall arrive at the point where, by reason of age, they should expect promotion, what are we to say? We shall need to do one of three things—create a greater number of advanced grades, permit the officer to retire with three-fourths pay, or insist that he remain in the service with junior grade until age will force him out.

If he remains in aviation for an extended time, he loses the training he should have for general-line duties, and, therefore, becomes ineligible for advancement. If he is unsuited for advancement, he becomes an obstacle to the advancement of those below him, having reference to grades to which selection does not apply. Of course, there would be no hump if we should increase the officer strength sufficiently to take care of aviation demands and provide an inward flow adequate to allow men to take a turn of a

year or two in aviation and pass on to other naval duties. Our proposal is to avoid the necessity for increasing the officer strength.

Mr. VINSON of Georgia. I think the House should thoroughly understand that this is a departure, and it is highly important that the House know about the departure that is now presented by the gentleman. If the House desires to make this departure, it is all right, but it is of such vital importance that I am grateful to the gentleman for permitting his speech to be interrupted at this point.

Mr. McCLINTIC of Oklahoma. Will the gentleman yield?

Mr. FRENCH. I yield.

Mr. McCLINTIC of Oklahoma. At the present time aviation in the Navy is so encompassed with rules and regulations that it is not able to function in a proper way, and I am hopeful that some new provision can be put into effect so that they will not have to get permission from certain officers now in control who have no conception of aviation.

I am hopeful that the gentleman's suggestion, if it is a new departure, will bring about increased efficiency on the part of the Navy.

Mr. ALLGOOD. Will the gentleman yield?

Mr. FRENCH. I yield.

Mr. ALLGOOD. If war should come, you would not depend on the naval officers from Annapolis alone but you would open up then and get aid from other sources, so why should they not come along now?

Mr. VINSON of Georgia. But in peace times you run your organizations by your regular officers. Of course, you depend upon the reservists of the Army and of the Navy in war time.

Mr. LaGUARDIA. Will the gentleman yield?

Mr. FRENCH. I yield to the gentleman from New York.

Mr. LaGUARDIA. There is one point I do not think the gentleman has made clear, and the point the gentleman from Illinois [Mr. BRITTON] is stressing is this: While you can take an intelligent young man, well educated, and make a good, experienced flyer out of him, naval aviation requires an additional factor, and that is the art of navigation, for this reason: They now operate from the carrier, and the carrier is in the middle of the sea. There are no landmarks. He can not fly by a map. He must navigate back to his ship. I want to ask the gentleman if sufficient provision is made to teach navigation to these boys; and if so, where?

Mr. FRENCH. The gentleman is quite correct in his suggestion. We are providing, first, that we draw into this aviation service only fine, splendidly trained men from our foremost educational institutions. We are told, in the first place, we can pick and choose because of the demand to enter this service. You should read the testimony of the officers who discussed it before our committee, wherein it was indicated that many, many are applying, where it is possible to choose only a limited number.

In the first place, then, these men start out with that broad, basic training and intellect that is capable of taking the training. In addition, these young men are trained in groundwork before they go to Pensacola, either in the New England States at Squantum or in New York or at the Great Lakes or at Sand Point, in the State of Washington. After this preliminary training they are sent to Pensacola, where they spend a year. There they are trained to become pilots, just as are the graduates from Annapolis. They receive the broad training that fits them for service with the fleet. Following that they spend one year with the fleet on the very ships to which the gentleman refers; and, of course, as part of the training, there must be so much of navigation, so much of the work necessary with respect to taking off and landing on ships as may make them efficient. Unless this were so, they would be inefficient as members of the reserve.

Mr. VINSON of Georgia. He gets only one year compared with what the midshipman gets now in four years.

Mr. FRENCH. I hope the gentleman does not want the House to understand that the four years' training at the Naval Academy gives the graduate the instruction along



practical lines that is given by the training of that last year that the reservist has upon the ships of the Navy.

Mr. BRITTEN. Will the gentleman yield?

Mr. FRENCH. Yes.

Mr. BRITTEN. I want the gentleman to feel—and I think I can speak for the Committee on Naval Affairs as a whole, or practically so—that we are in very complete sympathy with the gentleman's desires to get the reservists into naval aviation.

The more of these high-class students we can get the better, but they should not be expected to perform the duties of the regular line officers, because they have not been equipped mentally to do that. They have not studied engineering, they have not studied gunnery, they have not studied navigation or the various other things that the regular line officer must understand. On page 39 of the bill the gentleman has inserted some new language this year, and if the gentleman will permit, I would like to read this proviso.

Mr. FRENCH. Certainly.

Mr. BRITTEN (reading):

*Provided further, That no part of this appropriation shall be expended in any manner whatsoever by or for the use of a total number of commissioned line officers of the Navy above the grade of lieutenant commander which exceeds the total number of such officers assigned to aviation duty on February 9, 1931.*

As I understand the proposed legislation, what the gentleman aims to do now is to bring in reserve officers from outside life, make pilots out of them—which is a good thing—and then, by this proviso, the gentleman limits the number of officers above the grade of lieutenant commander who are regular Naval Academy graduates, qualified by instruction and everything else, to 39, the number that were in aviation on February 1 of this year. This proviso strikes me as being, I shall not say unfair, but it is going to work to the disadvantage of aviation in the Navy, because you are not allowing any more than 39 commanders to be in the aviation service, although that service is expanding every day by leaps and bounds. We are getting more plane carriers, we are getting flying-deck cruisers, or at least we hope to under our new construction program.

In other words, we hope to expand very materially in aviation of the Navy, because many of us feel that after all the national defense and the future welfare of the country may depend upon aviation, and yet this proviso limits the number of those who may be employed as lieutenant commanders, to guide the aviation service of the country, to 39. I think this is a great mistake, and I would like to have the gentleman tell the committee just why this proviso was included in the bill.

Mr. FRENCH. The proviso was included in the bill because, as I stated in my general remarks, the number of junior officers in naval aviation is so widely out of proportion in comparison with the rest of the Navy that it seems desirable not to permit expanding, in an unreasonable way, in the higher ranks in the Bureau of Aeronautics. If the figure is wrong we may modify it. Our committee believes the figure to be about correct.

Mr. BRITTEN. There is no figure shown here. The proviso says the total number of such officers assigned to aviation duty on February 9, 1931, and it happens that that number is 39.

Mr. FRENCH. Yes.

Mr. BRITTEN. I think the department itself, which, after all, is the best expert authority on naval aviation, should determine for itself the number of commanders it may need in various places or the number of captains it may need. It is evident that if these captains come out of the line and have other important duties, the Bureau of Navigation or the Secretary of the Navy will not assign them to aviation recklessly.

We can only have so many captains and so many commanders in the Navy—I think the proviso is unnecessary. I think it should be left to the department itself. Suppose you have a commander who is a desirable man for aviation and a desirable man for ship duty, and you want to assign him to a place where he might have command of an airplane. Under this proviso you could not do it.

Mr. FRENCH. We shall be glad to consider that further.

Mr. BRITTEN. Let me ask the gentleman a further question. Did any expert authority bring about this provision in the bill?

Mr. FRENCH. Oh, no; I am afraid we would not have had this suggestion if we had not put it in ourselves.

Mr. BRITTEN. Then it is an arbitrary provision put in by the committee itself?

Mr. FRENCH. Put in by the committee.

Mr. COYLE. Will the gentleman yield?

Mr. FRENCH. I yield.

Mr. COYLE. I want to ask the gentleman a question in reference to the appointment of enlisted men to the Naval Academy. I suppose the committee feels that the matter has not worked out as it was originally intended.

Mr. FRENCH. Let me make a statement in regard to that. Generally speaking I would be glad to have questions in detail asked under the 5-minute rule. But inasmuch as the gentleman has asked the question, let me say that we have inserted a provision in the bill that would affect the 100 enlisted men that the law provides may annually enter Annapolis. We have provided that these enlisted men actually serve on shipboard for nine months.

I am sure it will meet with the approval of the Members of the House for this reason: I know what was in the minds of the legislative committee when they provided that 100 enlisted men annually should go into the academy. That committee wanted to provide a way for young enlisted men who had had some experience with ships and naval service to enter the Naval Academy. The committee wanted to hold entrance to the academy as a sort of prize. But in practice the matter is not working out that way. In practice many young men from colleges and universities who would like to go to the academy find out the latest day that they can enlist in the Navy so as to qualify and then they enlist and are sent to San Diego or Hampton Roads and are there trained for the entrance examination for Annapolis. They not only want the training at the academy without cost, but they want the Government to prepare them for entrance. They would not enlist at all if they had to serve in the Navy.

Mr. COYLE. I am in accord with the gentleman's idea. The only question that came into my mind was whether frankly this is not an attempt on the part of the committee to amend the legislative enactment by restrictions on an appropriation bill.

Mr. FRENCH. I think it is a proviso that will help carry out what the gentleman himself as a member of the committee intended when the committee wrote the law.

Mr. COYLE. I was not a member of the committee at the time, but I feel convinced that that was the idea.

Mr. GIBSON. Will the gentleman yield?

Mr. FRENCH. I yield.

Mr. GIBSON. I was not in the Chamber when the gentleman began his speech and he may have covered the point, I wish to bring directly to his attention. Is Great Britain built up to the limitations of the London naval compact?

Mr. FRENCH. Practically so, Great Britain is nearer built up than we are.

Mr. GIBSON. Is Japan built up to the provisions of the London treaty?

Mr. FRENCH. Not altogether.

Mr. GIBSON. And the United States is not?

Mr. FRENCH. We are not up to it in cruisers and aircraft; we are in battleships, in destroyers, and submarines.

Mr. GIBSON. Does the program of the legislative committee bring us up to the limit set for us in the London pact?

Mr. FRENCH. Oh, no; the program of the legislative committee is pending in the Congress and has not been acted upon, and we have no authority to consider appropriations in connection with it.

Mr. GIBSON. How long will it take us to get up to the limit set by the London treaty, following the program of the legislative committee?

Mr. FRENCH. That question is one that would be entirely dependent upon money appropriations, and the com-



mittee would need to bring in other authorization bills beyond this one. It would be impossible to answer such a question.

Mr. GIBSON. Is there any practical reason why we should not adhere to the provisions of the London naval pact and bring our Navy up to the limit provided by that instrument?

Mr. FRENCH. I think the gentleman was not in the room when I indicated very practical reasons why that should not be done. The practical reasons suggested then, in brief, are, first, that we do not need to build up to the maximum from the standpoint of national defense, and, in the second place, we have to take into account in connection with the actual needs of our country the monetary considerations that would be involved.

Merely to repeat one figure, if we were to build up to the London treaty, assuming that it is mandatory that we do so, it would cost the United States something like three quarters of a billion or a billion dollars for new construction and half a billion dollars a year for maintenance. In my judgment, such a course would not add to the security of our Nation. Indeed, it would be less, because we would inspire fear and suspicion among other nations.

There is one other point I must not pass by. It is important that we be moderate in our construction programs for the reason that if we should build up in every line, then when the year 1935 shall roll around and we shall come to writing limitations in a naval conference that the treaty provides shall be called for that year, it will be difficult for us to write limitations in any line where we have considerable new craft, because the Members of this body and the country itself will be rather reluctant, just as Japan was reluctant at the Washington conference, to scrap a new ship of any type, because of our pride in that ship.

Mr. McCLINTIC of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. FRENCH. Yes.

Mr. McCLINTIC of Oklahoma. It is a fact that we are going to have another conference in 1935, is it not?

Mr. FRENCH. It is so provided in the London conference treaty.

Mr. McCLINTIC of Oklahoma. And it is a further fact that the category of ships which were reduced most were battleships in the last London conference.

Mr. BRITTEN. Oh, no.

Mr. FRENCH. Not most. We reduced tonnage in battleships, destroyers, and submarines.

Mr. McCLINTIC of Oklahoma. Then, of the greatest value.

Mr. FRENCH. Yes; probably greater values were in battleships.

Mr. McCLINTIC of Oklahoma. There is a strong probability that in 1935 we will continue along the same line carried out in the London conference.

Mr. FRENCH. I should hope so; but may I, in conclusion, say this, that Members of this Congress must keep in mind that, after all, what is above the money that we have been discussing to-day is the good will that ought to exist in this country for other countries and in other countries toward us, and the effect that our action here will have upon the policies and programs of other nations. It is wicked for this country to appropriate a dollar more than we need for the national defense. It is wicked for this country to draw into the Army or the Navy a human life when not needed by the military demands of this country.

I thank you. [Applause.]

Mr. BRITTEN. Mr. Chairman, will the gentleman yield for one more question?

Mr. FRENCH. The House has been most generous, and I am sure I should now conclude.

The CHAIRMAN. The gentleman declines to yield.

Mr. AYRES. Mr. Chairman, ladies, and gentlemen, I want to again congratulate the chairman of the subcommittee, my colleague from Idaho [Mr. FRENCH], for the very able and efficient manner in which he has presented this

bill. He always does that, but I believe to-day that he has done it much better than ever before.

I shall take just a very few minutes talking on one feature of the bill and that alone. That is the marines in Nicaragua. I regret very much that I can not agree with the chairman of this committee in regard to that particular question.

On May 18, 1923, when the House had under consideration the Navy appropriation measure, I made a speech on the subject of our relations with the Republic of Nicaragua. At that time we had just received the sad news of the slaughter of a number of United States marines.

Although decidedly opposed to the administration's Caribbean policy at that time, I endeavored to be fair and moderate in what I said, realizing then, as I do now, that as a nation we have certain obligations to meet, namely, that under certain circumstances we must protect American lives and property in foreign lands. However, I am convinced that in carrying out this doctrine to the fullest extent it does not mean that we are to follow an adventurer or an exploiter into foreign lands with an army of marines to protect him and his property. There is a limit to which the Nation should go to uphold this principle of protection to life and property of its nationals.

There is another obligation that as a nation we have to meet, which arises out of the Monroe doctrine. Upon this question there is also a diversity of opinion. The question as to how far we need go to meet such obligations has been discussed by many able and conscientious statesmen. As is commonly known, the Monroe doctrine is a denial of the right of any foreign power to encroach upon any of the republics in this hemisphere. It was intended, not alone for our safety but also intended as a safeguard to the South and Central American countries from foreign aggression.

Mr. Chairman, before proceeding further with the question as to whether or not we are in Nicaragua at this time with United States marines to meet obligations imposed by or growing out of the Monroe doctrine, it might be well to see just how far we are bound to go or even supposed to go. Soon after the adoption of the Monroe doctrine President Monroe said:

The new states are settling down under their governments, elective and representative, in every branch similar to our own. In this their career, however, we have not interposed, believing that every people have the right to institute for themselves the government which in their judgment may suit them best.

It is indeed plain that the author of the Monroe doctrine held that it conferred no power upon the United States to interfere with the internal affairs of any of the South or Central American countries. The position he took was sound then and it is sound now and it would seem should govern our policy. However, at this time I wish to call attention to a more recent interpretation by a most eminent statesman, former Secretary of State Root:

The declaration of Monroe was that the rights and interests of the United States were involved in maintaining a condition, and the condition to be maintained was the independence of all the American countries. \* \* \* A false conception of what the Monroe doctrine is, of what it demands, and what it justifies, of its scope, and of its limits has invaded the public press and affected public opinion within the past few years. Grandiose schemes of national expansion invoke the Monroe doctrine. Interested motives to compel Central or South American countries to do or refrain from doing something by which individual Americans may profit invoke the Monroe doctrine. Clamors for national glory from minds too shallow to grasp at the same time a sense of national duty invoke the Monroe doctrine. The intolerance which demands that control over the conduct and the opinions of other peoples, which is the essence of tyranny, invokes the Monroe doctrine. Thoughtless people who see no difference between lawful right and physical power assume that the Monroe doctrine is a warrant for interference in the internal affairs of all weaker nations in the New World. Against this suppositious doctrine many protests, both in the United States and in South America, have been made, and justly made. To the real Monroe doctrine these protests have no application.

We are not in Nicaragua because of any obligation growing out of the Monroe doctrine. No country of any other hemisphere is threatening to extend its political system to



Nicaragua, or to do aught that would need to cause concern to our Government. So, we can not invoke the Monroe doctrine as a reason or excuse for our invasion and occupancy of that country. Then why are we there? That is the real question, and there is but one answer. We are there under the guise and claim that it is for the protection of American lives and property.

Mr. Chairman, exploiters of a helpless people must of necessity have what may look like a plausible reason for invasion and exploitation. So the appeal was at the beginning and is now made that it is necessary to keep the United States marines in Nicaragua to protect American lives and property. I want to be understood that I believe in the doctrine that this Nation is obligated to protect its citizens and their property; that I will lend my support to any move looking to the protection of our nationals where the circumstances justify protective measures; but in giving protection I want it to be clear that there is but one purpose—the protection of American lives and property.

Can it be contended that it has been necessary for this Nation to keep an army in Nicaragua for the past 21 years, and with no assurance but that it will be there for many more years solely for the protection of American lives and property. Conceding, for the sake of argument only, that when we went into Nicaragua in 1909 with a force of marines, it was for the purpose of protecting our nationals and their property, it is very apparent that we are remaining there for an altogether different reason.

Mr. JOHNSON of Texas. Will the gentleman yield?

Mr. AYRES. I yield.

Mr. JOHNSON of Texas. Is it American lives or American property that we are trying to save, in the gentleman's opinion?

Mr. AYRES. I will speak of that a little later; but in my opinion it is American property.

I am fully justified in making this statement and reaching this conclusion, and any fair-minded person will reach the same conclusion if he will study the entire record or history of our occupancy of this unhappy country from 1909 to date. I am not going to take the time of the House at this time to go into detail, interesting as it is, from the beginning of our occupancy to the present. This history reveals the fact that on the memorable date of October 7, 1909, we had an American consul in that country by the name of Moffat, located at Bluefield. He seemed to possess knowledge which prompted him to wire the State Department here in Washington that there would be a revolution started the next day in Nicaragua by a man by the name of Estrada, who would declare himself to be President, and that he, Estrada, would immediately ask the United States to recognize him as such. So on the 11th day of October Mr. Moffat wired again that Estrada had succeeded in his revolution, and he also advised Washington that it would be necessary to send marines down there—for what? Not to protect American lives and property? Oh, no; he advised that this new President was friendly to American interests, and further that when once in power and full control of the affairs of Nicaragua he, Estrada, would see to the reduction of tariff duties. If the Monroe doctrine, or the doctrine of the protection of American lives and property were in the least involved in this Estrada revolution they failed to reveal themselves. There seemed to be but one principle involved, so far as this Nation was concerned, according to Moffat, and that was that Estrada was friendly to American interests and would reduce the tariff. So the administration at Washington very promptly recognized Mr. Estrada.

Mr. Estrada started to make good his promises, evidently made to Mr. Moffat, but soon after there was another revolution started, in which this new President, friendly to American interests, was about to be dethroned. Then what occurred? We were appealed to to come to the rescue of our friend Estrada, which we did with a force of marines, who immediately got into action, and Estrada for the time being was saved. In brief, that was our first step in the invasion and occupancy of Nicaragua.

Mr. Chairman, many things have transpired in Nicaragua between that date and the present time. I only wish that I had the time to relate these incidents and the Members had the patience to listen to me, but the history of it is intensely interesting. Later on President Estrada abdicated and the Assembly of Nicaragua elected Estrada's brother President and Diaz Vice President. About this time the second Estrada and Diaz administration made an application for a loan from some bankers in the United States. The people of Nicaragua were almost unanimously opposed to this proposed loan. Our minister to that country at that time said that fully 80 per cent of the people in Nicaragua were opposed to the proposed loan. On May 25, 1912, the American minister sent a telegram to Washington, as follows:

Rumors have been current that the Liberals are organizing a concerted uprising all over the country, with the declared object of defeating the loan. It is difficult to estimate how serious a measure this might be if well organized and led, as the Liberals are in such a majority over the Conservatives. I therefore hasten to repeat my suggestion as to the advisability of stationing permanently—at least until the loan has been put through—a war vessel at Corinto.

I cite this incident to show why it was thought necessary not only to keep our marines there but also to send more marines, and even to go so far as to send a war vessel. Not, however, to protect American lives and property but to drive through a loan and to see to it that the people of Nicaragua, 80 per cent of whom were opposed to it, would not interfere with the negotiation of this loan. This was a case of where the administration in Nicaragua, although friendly to American interests, as was said by Mr. Moffat, had to have the marines to help the administration show how friendly it was.

It might be well at this time to quote what was said by Mr. Root about our actions in Nicaragua. He was Secretary of State a part of the time that this loan was being negotiated, and afterwards was elected United States Senator. He wrote a letter in January, 1915, after he became Senator, stating how he felt about it when he was Secretary of State, as follows:

I was unwilling to have our Government accept from any Nicaraguan Government a grant of power which I felt certain the people of Nicaragua could not and ought not to approve. With those provisions out, however, and nothing left but the grant which I have described, I would be for a favorable report on the treaty. I am, however, troubled about the question whether the Nicaraguan Government which has made the treaty is really representative of the people of Nicaragua and whether it will be regarded in Nicaragua and in Central America as having been a free agent in making the treaty. I have been looking over the report of the commanding officer of our marines in Nicaragua, and I find there the following:

"The present Government is not in power by the will of the people; the elections of the House of Congress were mostly fraudulent."

And a further statement, that the Liberals—that is to say, the opposition—"constitute three-fourths of the country." It is apparent from this report and from other information which has in a casual way come to me from various sources that the present Government with which we are making this treaty is really maintained in office by the presence of United States marines in Nicaragua.

There is nothing I could say that would add to what former Secretary Root has said. It shows clearly how he felt about the situation; that he did not entertain the thought that we were in Nicaragua either to uphold the Monroe doctrine or to protect American lives and property.

Mr. Chairman, to be real frank about it, it is a case of where this Nation intervened, with an armed force, without a reasonable excuse to offer for meddling in the domestic affairs of a weak and helpless country. We have been denounced by the press all over the civilized world, and particularly in the South and Central American countries like Brazil, Argentina, Chile, Peru, Salvador, Uruguay, Bolivia, and Ecuador. It is true that millions of dollars of American money have been invested in Nicaragua. This fact was stressed in President Coolidge's message of June 10, 1927. It is contended that American investors were encouraged by Nicaraguan people to make investments in their country and then the people failed to protect them and their property in times of revolution. Therefore the necessity for the



United States to send marines to afford protection. Carrying out the theory, may we not ask why it is that we have failed to send marines and gunboats into all countries where American citizens have investments and where revolutions frequently occur? Has our Government encouraged these investors to go into Nicaragua? If we had, it might be that we would be duty bound to provide protection. The facts are that these American investors saw, as they thought, an opportunity to make fortunes, and in many instances a chance to exploit the people of that country.

Who are some of these investors? I shall name only a few, such as the United Fruit Co., and other fruit companies controlling thousands of acres of fruit lands. The Central American Exploration Co., which owns gold mines and concessions of 4,000,000 acres. The Butters-Salvador Mines Co., the Continentales Mines Co., the Constancia Consolidated Mining Co., the Cuja Gold Mines Co., the La Luz & Los Angeles Mining Co., the Tonapah Mining Co. of Nevada, the Bonanza Mines Co., and many more I might name. Just how much encouragement do you suppose it took to persuade these great and wealthy fruit and mining companies to go into Nicaragua. I do not believe that anyone will claim that these people, these commercial concerns, went into Nicaragua because they were philanthropic. Admitting that they are entitled to consideration, it certainly can not be said that they are entitled to have an army of marines kept there for their benefit.

There are also a number of bondholders of Nicaraguan bonds in the United States, and it seems that our State Department feels that it is the guarantor, as well as the collector of those bonds. The history of the whole thing shows that our State Department has been a very busy institution from the very beginning in the financial affairs of Nicaragua. Going back to 1911 we find where a treaty was signed by the Nicaraguan minister and the Secretary of State, which provided for aid in receiving a loan of \$15,000,000 from American bankers. The proceeds of this loan were to be used in paying claims against the Nicaraguan Government, to build a railroad, and so on. It also provided that during the continuance of that debt the customs of Nicaragua were to be in charge of a collector general, an American to be named by the banks making the loan, but that this collector general had to have the approval of the State Department. This treaty, however, was rejected by the Senate. It is interesting to note that so sure were these bankers that the treaty would be ratified that on September 1, 1911, Brown Bros. and Seligman Co., of New York, entered into a contract for the \$15,000,000 loan and a collector general of the customs was appointed with the approval of the State Department, and, so far as I know, he may still hold that position. About this time there was a change in administration in Washington. The Nicaraguan representatives were so anxious to get that loan through to pay their indebtedness that they complied with the requirements of the State Department and listed their various debts with the Secretary of State. It is a long story, and I may give it some time in the future, but not now. In looking over the correspondence, or rather copies of it, the originals of which are in the State Department, one can not help but feel that our Department of State is the greatest pawnshop and collecting agency in the world; and it is easy to understand why it is that under the guise of upholding the Monroe doctrine and as well the principle of protection to American lives and property, that our State Department has become the collector for bondholders of this and other countries, holding Nicaraguan bonds.

For the past three or four years the Navy Appropriations Committee has been led to believe that the marines were kept in Nicaragua for an altogether different purpose than the Monroe doctrine and the doctrine of protecting American life and property. It is said now that they are there to chase bandits and to supervise elections; that is, to see that fair elections may be had, and also to train the National Guard of Nicaragua so that it can cope with the situation down there, whatever that may be. Now, as to the first proposition, to protect Nicaragua against its bandits. This

is really remarkable when the condition in our own fair country is known. If these brave lads of the marines—and they are brave—are to be used to chase and capture bandits, why not bring them home immediately, all of them, and even add to their numbers. We could use them to good advantage in such places as St. Louis, where it seems to be a common practice to kidnap and blackmail respectable citizens; also in Chicago, where bands of kidnapers, bandits, racketeers, and blackmailers are so numerous that they have divided the territory in which to work, and should one gang get into the territory of another gang, it is considered a declaration of war and means a fight between the gangs of bandits. In fact there was jealousy at one time between the St. Louis and Chicago gangs of bandits to such an extent that they had limits which created a battle ground in southern Illinois for years. A few marines now in Nicaragua might be used in chasing bandits and kidnapers in the city of New York, where respectable people are kidnaped when they step out of a show house. There are scores of communities here in the States where these brave fellows could be used to chase bandits. I am not so sure but what we might use a few here in the Capital City. It is not necessary to keep them away down in Nicaragua for that purpose. In fact they are not needed in Nicaragua to chase bandits. This is disclosed by the hearings on this measure. I asked Major General Fuller if the pursuit of bandits in Nicaragua was not carried on principally by our aviators. He said that he could hardly say that, for, in addition to the marine aviators, the Nicaraguan National Guard is constantly out with patrols covering the country. I asked him if the enlisted personnel of our marines were used to any great extent in chasing bandits. He replied, "No; not very much now," and further stated that the national guard are the ones who are doing most of the following up of the bandits, or trying to find them. So it is fair to state that the marines are not needed for that purpose.

Our committee has been told that it is necessary to keep the marines in Nicaragua to supervise elections, to see that they have fair elections down there, that the people may have a voice in such elections. I remember when General Lejeune was before our committee in March, 1928. He said that as a result of the Stimson agreement both factions strongly desired that the marines continue in Nicaragua pending the holding of the election of 1928. The late General Neville appeared before our committee and told us that the elections provided for by the Stimson agreement were successfully held in November, 1928, under American supervision, and that the Government was duly installed. As one member of the committee, I was very much elated over this report, because I felt that the marines had performed their duty so well in supervising the election in Nicaragua that there would no longer be any reason for them to be kept there, and they could be brought home to supervise the elections in such cities as Chicago, Pittsburgh, Philadelphia, and other places I might mention, where they seldom count the votes that are cast by the qualified voters but make up ballots and poll sheets of their own to take the place of the votes cast by the qualified electors.

Finally, we are told that it is necessary to keep the marines there for a while longer to train the native national guards so that a native military force will be able to properly protect the country and the nationals of other countries. We have had those marines in that service for the past three or four years, and if they have not succeeded by this time in properly training those guards there is no need of remaining there for that purpose. That is not all, to my mind, that is objectionable concerning this service we are rendering in training the national guard in Nicaragua. For this service a host of marine officers are receiving, in addition to their regular pay, a salary from the Nicaraguan Government. For instance, in the measure we are now considering we are carrying an item of \$428,825 to pay salaries of marine officers on duty in Nicaragua, and in addition to that the Nicaraguan Government is paying, or must pay, to the same officers the sum of \$215,500, divided as follows:



One colonel now receiving a salary from our Government of \$7,200, receives an additional salary of \$3,600 from the Government of Nicaragua. One lieutenant colonel, in addition to his regular salary of \$6,997, receives from the Nicaraguan Government a salary of \$2,500. Five majors receive a salary of \$2,400 each from the Nicaraguan Government in addition to their regular salaries from the United States Government; 8 captains receive \$2,100 each additional and 14 captains receive \$1,800 each additional to their regular salaries from the Nicaraguan Government; 25 first lieutenants receive \$1,800 each in addition to their regular salary from the Nicaraguan Government; 6 second lieutenants receive \$1,200 each in addition to their regular salary from the Nicaraguan Government; 1 chief quartermaster's clerk receives \$1,200 additional to his regular salary from the Nicaraguan Government; 1 chief paymaster's clerk receives \$1,200 additional to his regular salary from the Nicaraguan Government; 1 sergeant major receives \$1,200 additional to his regular salary from the Nicaraguan Government; 1 quartermaster sergeant receives \$1,200 additional and 2 quartermaster sergeants receive \$900 additional each from the Nicaraguan Government; 1 paymaster sergeant receives \$900 additional to his regular salary from the Nicaraguan Government; 4 first sergeants receive \$1,200 each additional, and 9 first sergeants receive \$900 each additional to their regular salaries from the Nicaraguan Government; 12 gunnery sergeants receive \$1,200 each additional, and 7 gunnery sergeants receive \$900 each additional to their regular salaries from the Nicaraguan Government; 2 sergeants receive \$1,200 each additional, and 40 sergeants receive \$900 each additional to their regular salaries from the Nicaraguan Government; 1 corporal receives \$1,200 additional, and 25 corporals receive \$900 each additional to their regular salaries from the Nicaraguan Government, making, as I said before, a grand total of \$215,500 that is paid to these marine officers by the Nicaraguan Government, in addition to their regular salaries. I am bitterly opposed to such an arrangement and it should be stopped.

Our committee is told that the Nicaraguan Government is so poor that it can not afford to pay its national guard, and that is one reason given why it is necessary to keep our marines there. It is fair to presume that if that country could use a good part of the \$215,500 additional salary it is paying to our marines, it would go a long way in financing their own troops. During the hearings had on this measure, I asked General Fuller if he could inform the committee how long we would have to continue to train the national guard of Nicaragua before it would become an efficient military unit for that country, and he said that they were efficient now. I asked him how long it would be before the national guard would be sufficiently trained to a point where they could be depended upon for the protection of that country and its citizens, as well as the nationals of other countries. He replied they probably could do it now. He further stated that it is a question though of the policy of the State Department as to whether to keep the marines in Nicaragua or not. The national guard is an efficient organization at the present. That is what the Major General Commandant of the marines said.

It has cost this Government something to stay in Nicaragua. It is estimated that the approximate expense incident to maintaining marine forces in Nicaragua since 1920, over and above what the expense would have been to this Government if those forces had been maintained at home stations, has been \$5,517,832.45.

Mr. Chairman, in conclusion I want to say that it is evident that we are not in Nicaragua with the marines to uphold the Monroe doctrine; nor are we there to protect American life, but only to protect American interests or investments, and in view of the further fact that we can use the marines here in the United States to such an advantage chasing bandits and supervising elections, I am in favor of getting them out of Nicaragua and bringing them back here.

If 20 years have not been sufficient to teach the Nicaraguan people how to conduct their own affairs, we have failed and we may just as well admit it one time as another, and that we are willing for them to work out their own salvation.

If at any time it should become necessary for us to go back to uphold the Monroe doctrine or protect American lives and property, we can get there as rapidly as to other countries as far removed. It is not necessary for us to stay there as we have been doing for the past 20 years, with a marine force, for that purpose.

We have been patiently waiting and hoping for the past 8 or 10 years that our committee would be informed that it is no longer necessary to maintain the marines in that country, that they had accomplished all that they were sent there to accomplish. In my opinion it is not necessary to maintain the entire marine force we have in Nicaragua at this time, but only such a force as required for a legation guard, and in addition, for a time, the necessary marine officers to complete the training of the Nicaraguan National Guard. So, in order that some action may be taken toward getting our forces out of that country in the tolerably near future, I intend at the proper time and place, to offer the following amendment:

No part of any appropriation contained in this act shall be available after December 31, 1931, for the pay of more than one-half the number of officers and men of the Marine Corps in Nicaragua under orders for the performance of duty than were on duty in such country on the date of the approval of this act, nor shall any part of any appropriation contained in this act be available after May 31, 1932, for the pay of more than a full company of officers and men of the Marine Corps in Nicaragua under orders for the performance of duty in such country, except that nothing herein shall require a reduction to be made in the numbers of officers and enlisted men of the Marine Corps in Nicaragua on account of aviation activities.

This to my mind is the best and surest method of our withdrawal from the Republic of Nicaragua.

I make this declaration based upon the reasons heretofore given and the information that our committee has received, as shown in these hearings and considerable confidential information not set forth in the hearings which shows that at any time we talk of adopting a policy looking to the withdrawal of the marines from Nicaragua there is an outcry from the President of that country, whoever he may be, as well as the special interests with property holding there, to the effect that the Nicaraguans can not protect the people and especially American property. And there is another noticeable thing. At any time we even mention the fact that we should make plans to withdraw a part of our forces, at once a revolution is started in Nicaragua. What has taken place down there in the past week is a fair illustration. No doubt it will be contended that that is just a coincidence. General McDougal, who is in charge of our marine forces in Nicaragua, appeared before our committee and in reply to questions admitted that about 200 men would be sufficient to train the Nicaraguan National Guards, and, in my opinion, this force is sufficient to supervise the election in 1932. [Applause.]

Mr. FRENCH. The gentleman from Kansas [Mr. AYRES] indicated he intends to introduce an amendment at the proper time, in effect looking to modifying the expenditure of money on account of marines in Nicaragua. Probably it would be better for me to reserve any general statement that I may wish to make upon this subject until such amendment may be proposed.

I wish merely to make the observation now that when orderly government breaks down in some part of the world, it is one of the fine commentaries upon civilization that usually there is some nation, sometimes the United States, sometimes another nation, that is able to step into the breach and to prevent chaos. The United States in Nicaragua is following and has been following the course that this Government has followed during nearly 100 years, with respect to disturbances that have threatened the lives and property of our own nationals and the lives and property of



other people in the various parts of the world. Our entire history is replete with such illustrations.

In different countries of South and Central America, in the Hawaiian Islands, in China, and elsewhere, for a day or for a month, or sometimes for longer periods, when some government did not possess the power and the sanity to control a situation and prevent lawlessness, our Government has been called upon to step into the breach to restore order and aid in reestablishment of good government.

No one could be more anxious than am I for the time when the marines may be withdrawn from Nicaragua. In 1925, after having had a contingent of marines in Nicaragua from 1909, we withdrew. Gentlemen, within one month revolution occurred. Again we were called back to protect the lives and properties of the nationals of this country and of other countries.

Colonel Stimson, before he became Secretary of State, was sent to Nicaragua by President Coolidge to assist in working out some sort of stable government about four years ago. We are all familiar with that. We are familiar with the call that was made by the Nicaraguan Government upon our Government to lend them something of our strength to help maintain the orderly processes of government. We did so. At one time we had as many as 5,200 marines in Nicaragua. But I am glad to say that conditions are becoming better. A constabulary known as a guardia has been established. It is being trained and orderly processes are being restored. We have been withdrawing our marines and to-day we have about 1,100 officers and men in Nicaragua to care for the situation.

For this Congress to attempt to force the situation would be to add confusion. In my judgment, Congress may well trust the administration in carrying out a policy that is unselfish in every factor and that is in harmony with the best tradition of the past, regardless of administration, for the maintenance of order and security when for a time regularly established government has failed. [Applause.]

Mr. AYRES. Mr. Chairman, I yield to the gentleman from Alabama [Mr. OLIVER] 25 minutes.

Mr. OLIVER of Alabama. Mr. Chairman, in connection with the amendment which the gentleman from Kansas [Mr. AYRES] has stated he proposes to offer, I invite the House to read the hearings on this subject before the amendment is offered on Thursday. You will find some very informing facts there set out. In connection with the statement just made by the gentleman from Idaho [Mr. FRENCH], the hearings disclose that prior to 1925 for more than 12 years the marines maintained a guard of only 100 in Nicaragua and they had been able to maintain order. Certainly conditions now in Nicaragua are better than they were during the years when the guard of 100 proved so effective. From the hearings it appears that General Fuller seems to think that 1,000 marines should be kept there to prevent a mutiny or uprising against American officers detailed and loaned to train the military forces of Nicaragua. The gentleman from Kansas [Mr. AYRES] takes the position that we are not required, either by the Monroe doctrine or by any other international obligation, to detail a large number of military instructors to serve with and train Nicaraguan troops under the direction of the President of Nicaragua. It is a rather dangerous principle to announce that when a government has established itself in Central America and has been recognized by our Government that then our Government should send or maintain there with the consent of such foreign government a large part of our military forces to protect such country against bandits, and to train the military forces of such foreign government and to permit our officers and enlisted personnel assigned to such training to accept, as in the case of Nicaragua, \$215,000 per annum from the Nicaraguan Government as additional pay.

This, I submit, is a dangerous practice, and should be discontinued. Order has been restored in Nicaragua, two elections have been held since our marines were last sent there in 1925, the people of Nicaragua have acquiesced in the

results of the elections, and they now have an organized force of about 1,800 of their own people, who have had military training under capable officers for four years; and from this it would seem that our Government should withdraw its forces. There can be no justification for retaining a guard of more than 100, if any, under the conditions that now obtain. In this connection it should be said in justice to the marines that they are in Nicaragua because of and pursuant to the direction of the Department of State.

I did not rise, however, to discuss at length at this time the situation in Nicaragua, but rather to bring to your attention another matter of vital importance to the Navy.

Mr. AYRES. Will the gentleman yield?

Mr. OLIVER of Alabama. Yes.

Mr. AYRES. As a matter of fact, the hearings show that the reason they have not a larger guard in Nicaragua is because they can not afford to pay it, although they only pay the individuals \$10 a month.

Mr. OLIVER of Alabama. It must be a heavy drain on Nicaragua to pay \$215,000 or more to our marines annually to train their forces. It has been suggested in the hearings that the amount spent in Nicaragua by the marines, which sums are listed, justify on economic grounds the payment of \$215,000 to our marines. Naturally, the party in power may be willing to pay a reasonable sum, even more than a reasonable sum, in order that they may be kept in power by the marines. It sets a dangerous precedent, however.

Mr. ALLGOOD. Will the gentleman yield?

Mr. OLIVER of Alabama. Yes.

Mr. ALLGOOD. Is it not also dangerous to our trade in South America and the West Indies, and do they not resent the fact that we have kept our marines there and have not their national law-making bodies passed resolutions to that effect?

Mr. OLIVER of Alabama. Just how representative the organizations are that have passed resolutions of that kind, I am not prepared to say. I can well understand how it may be the means of arousing bitter antagonism on the part of many of those people.

I really rose to discuss, as I have stated, some matters relating to our officer personnel, and as to which the subcommittee handling this bill were not in full agreement.

Permit me to join with my friend from Kansas [Mr. AYRES] in paying tribute to our esteemed colleague the gentleman from Idaho [Mr. FRENCH]. No one is more familiar with the facts incident to the preparation of this important bill than is the gentleman from Idaho. I know he would not consciously do hurt to the Navy service. He has to-day, and on many other occasions, spoken in high praise of naval officers and of the Navy personnel as a whole. He has called attention to their efficiency, to their loyalty and devotion to duty. He has observed them in laboratory, in navy yards, in committee rooms. He has seen them on our ships, at their various stations and work places here and there, in the discharge of their duties, all of which serves to well qualify him to pay them a very deserving tribute, as he has done to-day and on other occasions. As a part of my remarks, and as indicative of the kindly feeling the gentleman from Idaho [Mr. FRENCH] has for the officer personnel of the Navy, I will insert some excerpts from the hearings of Secretary Adams, where the Secretary and the gentleman from Idaho paid a high tribute to the former Chief of the Bureau of Operations, Admiral Hughes. I ask unanimous consent to insert these statements in the Record.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Secretary ADAMS. Just prior to the Budget hearings on the 1932 estimates certain changes in the operating plans of the fleets became desirable. These changes were of such a nature that they would necessarily reflect themselves in the operating plans for the following year; this fact caused Admiral C. F. Hughes to feel that he should be relieved a few weeks in advance of the date of his normal retirement in order that these changes might be initiated under my direction by the incoming Chief of Naval Operations, Admiral W. V. Pratt. The devotion of Admiral Hughes to his life's work is well known to you and to the Navy; it merited and received the highest rewards in the naval service. This last



act of his career was in keeping with the high ideals of loyalty and performance of duty which he has consistently shown throughout his long service of almost half a century.

Mr. OLIVER. I know, Mr. Secretary, this committee will give full and very hearty indorsement to everything you have said with reference to Admiral Hughes.

#### SERVICE OF ADMIRAL HUGHES

Mr. FRENCH. Mr. Secretary, I can not permit to pass without brief mention your reference to the former Chief of Naval Operations, Admiral Hughes. Mr. Oliver a bit ago indicated the thought that is in the minds of the members of the committee—that is, the very deep regard and high esteem in which we all held Admiral Hughes and now hold him on account of his fine service to the Navy and to our country. I am sure that the members of the committee were so deeply impressed with his service that they would all say that no man ever reflected a higher spirit or a loftier and more unselfish patriotism and devotion to our institutions and to the Naval Establishment than did Admiral Hughes during the time our committee was in contact with him in the great work he was carrying forward.

Mr. OLIVER of Alabama. As the gentleman from Idaho [Mr. FRENCH] well said, Admiral Hughes typifies in a splendid way the loyalty, the efficiency, and devotion to high duty shown by the officers of the American Navy.

The report, written by the gentleman from Idaho [Mr. FRENCH], recommends a reduction of from four to three in congressional appointees to Annapolis. If you simply consider this recommendation from the standpoint of what may appear at the time the next class graduates from Annapolis in June, there is apparently reason and justification for the recommendation submitted by a majority of the members of the committee. Before this item is reached in the bill, however, I invite your careful study of the hearings, beginning on page 123 and concluding on page 126, which pages I ask unanimous consent, Mr. Chairman, to insert as a part of my remarks.

The CHAIRMAN. Without objection, it is so ordered.  
There was no objection.

#### EXPLANATION OF CHART ON FUTURE OFFICERS REQUIREMENT

Mr. FRENCH. You may proceed with your explanation of the chart.

Commander SHAFROTH. These charts have been based upon the assumption that every new destroyer that is built is to be regarded as a replacement for another destroyer going out, so that additional officer personnel would not be required. Every submarine that we build is to be regarded as a replacement of a submarine going out of commission, so that additional officer personnel would not be required there except possibly such personnel as would be due to increased tonnage. If you put a 600-ton submarine out of commission and build a 1,200-ton submarine to replace it, there would be a slight increase in officer personnel required.

In the matter of aircraft carriers the chart is based upon the assumption that when the second small carrier is completed one of the larger carriers will be placed in reserve, and that when a fourth small carrier is completed the second large carrier that we are now operating would be placed in reserve, that being with a view to economy.

Mr. FRENCH. You were speaking about submarines and destroyers. We now have a considerably larger submarine tonnage than we are entitled to have under the treaty, and we must drop back to about 52,500 tons under the treaty. We now have built, including all classes or types, approximately 89,000 tons.

Commander SHAFROTH. We have considered in here only the 52,500 tons that we are allowed. The other submarines are already out of commission or they are going out.

Mr. FRENCH. The same thing is true with regard to destroyers, where we will need to decommission some destroyers.

Commander SHAFROTH. The destroyers that we have considered here are only the destroyers we are carrying under the present operating force plan. They are considerably under the tonnage we are allowed by the London treaty. In other words, in this table which goes only to 1940, we have not built the full number of destroyers allowed, or exceeded the present operating destroyer strength, except that we have included in here six leaders, which are in addition to the present operating destroyer strength. The cruisers, including the cruisers with the flying-off decks are considered as in addition to the ships that we are now operating.

On July 1, after the graduation of the class of 1930, we had 5,492 officers, as indicated on the yellow (plain) block [indicating], up to the first part of June, so that we will probably drop back to the figure of 5,358. If all of the graduating class of 1931 are commissioned that we can commission, or those that will qualify, after we have made the usual allotments to the Supply Corps and Marine Corps, it would bring the strength up to 5,732 officers, which is under the number that we require. Between July, 1930, and July, 1931, three cruisers would be commissioned.

During the next year there will be two cruisers that will come in, Nos. 33 and 35, and during the year 1933 there will be Nos. 32 and 34 coming in. Those cruisers are now building, and as they come out, they must be manned. During the year 1934, Nos. 36 and 38 will be commissioned. Also, back here in 1932, we have the V-7, which will be completed. By the end of 1934, the first of the new carriers will be commissioned, which accounts in part for the requirements we would experience during that year. During 1935 light cruiser No. 37 is expected to be commissioned, and, in addition, there will be certain other vessels which we assume will be built.

This diagram here shows the officers required for those vessels that are actually appropriated for or laid down and that will without doubt be completed.

This table has been built up on a theoretical program under the London treaty, extending over a period of 10 years, shown in these red (cross hatched) blocks [indicating]. Beginning with 1934, there are shown certain additions to the ones that we have actually laid down.

Mr. AYRES. As I understand it, all prior to 1934 relates to building already authorized.

Commander SHAFROTH. Yes, sir; with one cruiser to be finished in 1935; but in addition we have assumed that a destroyer leader, 10 destroyers, and a submarine would be completed in 1934. We hope that these will be authorized this year and completed in 1934. They are, however, as I told you, replacements. I have a table here indicating year by year the date that we expect to complete each of the vessels that has been laid down.

Mr. AYRES. At the end of 1934, when we have built the ships already authorized, how many officers will we be short?

Commander SHAFROTH. We will be 150 officers short, if we commission all the available graduates from the Naval Academy.

Mr. AYRES. For what years?

Commander SHAFROTH. From now until 1934. In 1934 we will be that many short.

Mr. HARDY. How many will you be short?

Commander SHAFROTH. About 150.

Mr. FRENCH. I wonder if you could insert in the record the table to which you referred a moment ago.

Commander SHAFROTH. I will insert table showing the dates of completion for the ships actually laid down.

(The table referred to is as follows:)

Table showing actual building program with year in which new ships are completed

	Date of completion, by July 1—				
	1931	1932	1933	1934	1935
CV				CV-4	
CL-8	CL-28 CL-29 CL-31	CL-33 CL-35	CL-32 CL-34	CL-36 CL-38	CL-37
CL-FD					
DD					
DD-L					
SS					
SF		V-7			
CL-6					

<sup>1</sup> CL-33 and 35 and V-7 completed in August, 1932.

<sup>2</sup> CL-34 completed in October, 1933.

Admiral UPHAM. Of course, this represents the maximum. The average that we will have during the year will be about 150 less than the maximum, because of the attrition that takes place here just as it takes place in the normal fleet. This black line [indicating] shows the average, about 150 less than the maximum strength, so that in 1934 the average strength will be about 300 under the requirements in place of 150, which would be the minimum deficit that you would have, and which would occur immediately after the graduation of the class of 1934.

Mr. AYRES. Does that take into consideration those who may resign?

Commander SHAFROTH. Yes, sir; that will give the average strength. The difference between the strength in June and the strength in the following June is what we call the attrition, consisting of deaths, resignations, retirements, and other separations from the service.

Admiral UPHAM. I would like to interpolate a comment here: Mr. Oliver has said that Admiral Pratt referred to what I am now presenting. Admiral Pratt, when shown this large chart extended to the prospective possible needs as far into the future as 1940, agreed with me that for the current situation, or the situation of to-day, we would certainly need to commission the entire graduating class of 1931.

He did not subscribe to projecting the picture 10 years into the future for the reason, as he put it, that we might build all the ships under the treaty, but we might not operate them. That is somewhat explained by the fact that we have already placed many ships out of commission, and we now come to Congress with an operating-force plan for 1932 which is far short of the number of ships we have built. In the same way, in the future, he says that when we can learn what the building program is to be, if only from year to year, but preferably over a period of years, then we will be able to draw up and put on paper an operating-force plan which will operate fewer than the total number of ships built. Then we will be able to come to the committee and say that this



is our operating-force plan for which we need this number of officers. Now, he knows that for this operating-force plan, for the ships they are building, we will need those midshipmen who graduate this year, and just as soon as he is able to draw up his operating-force plan for the next three or four years, I feel confident that he will need the midshipmen in each of those classes, or in each of those three or four years. He said that I might quote him as saying he was entirely in accord with me in stating that we do need the graduating class of 1931.

Mr. OLIVER of Alabama. On page 127 of the hearings will be found the chart. It is not allowable to insert in the RECORD, without the permission of the Joint Committee on Printing, which I recognize can not be hurriedly secured, the table appearing on page 127 of the hearings, and which is very instructive. You will find from this table that even though you continue the appointments at four, that Navy Department officials state that the attritions that will occur in the service the year following the graduation in June of each year for the next several years, will serve to keep your personnel below the authorized line-officer strength.

Mr. HOUSTON of Hawaii. Will the gentleman yield?

Mr. OLIVER of Alabama. Yes.

Mr. HOUSTON of Hawaii. If you place a limit on the officer personnel beyond which you can not go and you expect a regular attrition, the average number of the personnel throughout the year will be below the limitation, and that is very important because we will never have throughout the year at one time up to the maximum allowance.

Mr. OLIVER of Alabama. The gentleman is unquestionably correct, and it was because of that fact and because of the many new activities in the service that some members of the committee were and are now opposed to a cut in the number of present congressional appointments to Annapolis.

This chart, together with the well-prepared and instructive statements by Commander Shafroth, beginning on page 123, et seq., which I have requested permission to insert, will be very informing to the Members of the House. Let me urge all Members to examine the chart referred to, and the charts appearing on the pages of the hearings next following, together with the explanatory statements in connection therewith.

In this statement of Commander Shafroth, which will be inserted as a part of my remarks, you will find attention is called to the fact that in reaching the results shown by the chart, namely, that the officer line strength for the next three years will fall below the authorized and required numbers. No account is taken of ships that will be additions to the Navy, except and only except such ships as Congress has authorized to be built and made appropriations for. Attention is called to the further fact that as to submarines and destroyers every ship of these classes taken into account represents replacements, and no additions to the force. The ships that represent additions to the force are those that Congress has not only authorized but made appropriations to build.

On page 124 will be found a list of the ships now authorized and building, some of which will be put in commission in a few months, the others in the years 1932, 1933, and 1934. The pages inserted, when read in the light of the charts appearing in the hearings in connection therewith, demonstrate the necessity of maintaining for the present the four appointments to Annapolis, if you are to provide officers for the ships now in commission, and which will soon be placed in commission.

I am not inviting your attention to these pages nor to this data to inform you that it is my purpose to offer an amendment relative to this feature of the bill. My hope is, however, that the Members of this House may give careful study to these facts so that they may reach an intelligent, individual conclusion in reference to the same, since on these pages will be found information which will cause you to seriously question the wisdom of the committee's action in recommending a reduction in present appointments to Annapolis. I am confident that the other legislative body will not concur in this recommendation of the House committee. I am sure no Member of this House will knowingly cast any

vote that would prevent the ships of the Navy from being properly manned and efficiently operated. The gentleman from Idaho [Mr. FRENCH] I recognize is just as honest in his conviction that a reduction can be made with safety and without hurt as those Members who entertain a different opinion relative thereto.

Mr. GOLDER. Will the gentleman yield?

Mr. OLIVER of Alabama. Yes.

Mr. GOLDER. What cut is provided in this bill?

Mr. OLIVER of Alabama. A cut of 1—from 4 to 3.

Mr. HOUSTON of Hawaii. Will the gentleman yield?

Mr. OLIVER of Alabama. Yes.

Mr. HOUSTON of Hawaii. Would the gentleman mind mentioning the fact that, according to one of these tables, 126-C, it is shown that beginning in 1936 there will actually be a less number of officers available than the limitation placed herein?

Mr. OLIVER of Alabama. The gentleman is correct. I especially wish at this time to invite your attention to chart 126-A, because that chart is based on four appointments, the number you now have, and shows that the authorized line strength will be short in 1932 if all the graduating class in June is commissioned. The gentleman from Idaho [Mr. FRENCH] has said that we will have in June of this year about 200 graduates to which no commissions can be given, because at that time we will perhaps have the full officer line strength authorized. He fails, however, to call attention to the fact that during the fiscal year 1932 you will have suffered attritions sufficient to reduce the officer strength below the authorized limit and below the number which the department states is required to efficiently man and operate the ships in commission and which will be in commission in 1932.

Though the gentleman from Idaho has paid tribute to naval officers, I recognize that they can make mistakes, and do; but when you find the present as well as the former Chief of Operations, to whom is intrusted the operation of this important service; the commander of the Battle Fleet; the commander of the United States Fleet; the commander of the Asiatic Fleet, all in agreement with the department officials in Washington as to the need for more officers, I submit this should serve to invite the very careful study of every Member of the House of the facts set out in the hearings on which their conclusions are based.

Mr. BLANTON. Will the gentleman yield for one question?

Mr. OLIVER of Alabama. I will be pleased to yield.

Mr. BLANTON. If we continue graduating the same number of midshipmen each year from the Naval Academy at Annapolis—for instance, one for each Member of the House—how is that going to affect the limitation on officers?

Mr. OLIVER of Alabama. The table which I have called your attention to gives it in such a concise way and so much better than I can—

Mr. BLANTON. Will it keep on increasing every year beyond the limit?

Mr. OLIVER of Alabama. No; and the gentleman will find from the chart referred to an actual shortage in the authorized line strength during the next few years.

Mr. BLANTON. Can not the gentleman just tell us concretely yes or no?

Mr. OLIVER of Alabama. With the large class to be graduated in June, if all are commissioned, the attritions occurring in 12 months thereafter will reduce the line officers below the authorized strength.

Mr. BLANTON. Then how about 1932, 1933, and 1934?

Mr. OLIVER of Alabama. The same in 1932 and 1933. Read the charts and the gentleman will get the information much more accurately and in a much more convincing way, I think, than I can state it.

Mr. BLANTON. If I may ask one further question, these men pledge themselves to give three years' service to the country?

Mr. OLIVER of Alabama. I think it is two years after graduation.



Mr. BLANTON. I was under the impression that it was three years.

Mr. OLIVER of Alabama. It may be.

Mr. BLANTON. A great many of them are resigning very soon after they graduate, and some even before they graduate. Are we in any way encouraging them to resign or retire so as to keep the number of officers within the limitation?

Mr. OLIVER of Alabama. No; I think not. I am very glad the gentleman asked that question. If you should ask my opinion as the most important thing that could now be done to stimulate the morale in the service and to best bring contentment and satisfaction to the officer personnel, especially in the lower grades, I would say pass a well-considered personnel bill that will give hope to the young officers of the Navy that they will be considered, if their service records are satisfactory, for promotion on through the years they will be required to serve. [Applause.]

There is no legislation more important at this time to both the Navy and the Army, than a personnel bill carefully drafted, so that the young officer may reasonably hope for promotion in the future. It is because of the fact that in the Navy, as well as in the Army, under the existing law, the young officer is not promised an orderly and regular flow of promotion that he becomes discouraged and dissatisfied.

Mr. BLANTON. I want to ask the gentleman a further question—it is not the gentleman's committee, but has the gentleman made a check-up to see what effect the graduating of the regular class at West Point is having on the proper limitation of Army officers?

Mr. OLIVER of Alabama. I am not very familiar with Army personnel matters.

Mr. BLANTON. But the two legislative committees—the Army and the Navy—should coordinate on that proposition.

Mr. OLIVER of Alabama. I think that is a happy thought, and if the two committees could do so it would be helpful to both services. Recently I had occasion to make an inquiry of General Fechet, the head of the Army Aviation Service, as to whether reserve officers graduating from the excellent Army aviation school conducted in the gentleman's State of Texas, could be considered now or in the near future for a commission. He informed me that because of the limitation placed on the officer strength there had been no vacancies for some time, and he saw little chance in the future to consider those young officers for regular commissions.

That leads me to say that the gentleman from Idaho recognizes that he must provide some method different from that which now obtains to supply the officers needed for naval aviation. It is his hope that Congress may give approval to the giving of commissions for a limited term, say, two or three years, to young men graduating from our colleges and universities of recognized standing, who after a course of training at Pensacola and San Diego can qualify as aviation pilots. It is his thought that you would secure in this way a sufficient number of pilots each year who are well qualified to fit into the Navy service, and who, after serving for a term of two or three years, will be willing to retire to civil life.

In the first place, it is very doubtful whether you would find these young men, when drawn into the service in large numbers, willing to go back into civil life at the expiration of short terms. Certainly, if we continue to be confronted with an unemployment situation such as now exists there would be little chance for Congress to refuse regular commissions, where they were shown to be efficient.

I recognize, however, that the suggestion of the gentleman from Idaho is worthy of consideration, but it must be worked out, as the gentleman from Texas has suggested, in connection with the Army, because the same condition obtains there as in the Navy. You can not establish one policy for the Navy and a different policy for the Army, and I doubt whether the plan would have the approval of either service; and, also, I question favorable action by Congress on the plan.

Mr. BLANTON. Will the gentleman yield?

Mr. OLIVER of Alabama. I yield.

Mr. BLANTON. Can the gentleman give the committee the benefit of any knowledge he has of what efforts are being exerted toward creating one department for national defense and coordinating all of the air services under one head?

Mr. OLIVER of Alabama. I remember that that matter was seriously discussed in past years, but my information is that the study of the question led the services to conclude that it was unwise. Great Britain and other governments have, I understand, voiced recent disapproval.

Mr. BLANTON. But in that investigation and in that conclusion there might be the element of personal interest and selfishness on the part of various officers of the different services. It has been stated by experts that it would save the Government \$100,000,000 a year to have one department of national defense. It does seem to me that that is a question for the Congress to determine and not for these departments.

Mr. OLIVER of Alabama. The gentleman has been here long enough to know that you must not always rely on estimates of savings suggested by those who have pet theories and policies which they wish to put into effect.

Mr. BLANTON. Well, Col. Billy Mitchell was quite an expert. He had his wings trimmed because he seemed to be in the way of somebody else, just as one of the most distinguished marines has just been treated; but, after all, trimming his wings does not take anything away from the value of his judgment.

Mr. OLIVER of Alabama. The suggestion of the gentleman from Texas is in line with what some able officers have thought should be further considered. One of the most important arms of the service in both Navy and Army is aviation, and its importance and effectiveness will continue to engage the thoughtful study of Congress and the officers in all of our military forces.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. OLIVER of Alabama. Yes.

Mr. ABERNETHY. What is going to happen to all the graduates at the Naval Academy? Can the gentleman give us any information about that?

Mr. OLIVER of Alabama. The gentleman was not here when I made reference to it, and, without repeating, if the gentleman will examine pages 123 to 126 of the hearings I think he will conclude what should be done in reference to them. The gentleman from Idaho [Mr. FRENCH] recognizes that the number of officers detailed to the aviation branch of the Navy service has been steadily and rapidly increasing and will continue to increase. The number of officers now assigned to aviation is 783.

If this number of 783 now detailed for aviation was available for line duty, there would be no shortage in officers to man the ships. That is what the Chief of Operations, the commander of the Battle Fleet, the Secretary of the Navy, and the Chief of the Bureau of Navigation had in mind when attention was called to the shortage in officer personnel to man the ships and other stations.

Mr. HOUSTON of Hawaii. Is it not a fact that the smaller the vessel the greater the percentage of officers required, and does the gentleman recall the particular tabulation on page 150? I wish the gentleman would include that in his remarks.

Mr. OLIVER of Alabama. With the permission of the committee I will be glad to do so.

The CHAIRMAN. Without objection, it is so ordered.

The table referred to is as follows:

Aircraft carrier, <i>Saratoga</i> , 4.5 per cent.	Aircraft—36 fighting planes, 12 scouting planes, 18 bombing planes, 21 per cent.
Battleship, <i>Colorado</i> , 4.7 per cent.	
Light cruiser, <i>Pensacola</i> , 5.26 per cent.	
Destroyer, <i>Williamson</i> , 5.6 per cent.	
Submarine fleet, <i>V-6</i> , 7.5 per cent.	
Submarine, <i>S-20</i> , 10.3 per cent.	

Mr. OLIVER of Alabama. I implore the membership of the House to read these very informing statements before



important items about which differences exist are finally disposed of.

Mr. CONNERY. Mr. Chairman, will the gentleman yield?

Mr. OLIVER of Alabama. Yes.

Mr. CONNERY. How does the gentleman feel about these naval air races that we have been reading of in the newspapers and that Mr. Ingalls recommended an appropriation for before the committee?

Mr. OLIVER of Alabama. Frankly, I feel it would be unwise to undertake to build a ship simply for the purpose of entering it in a race. We had an interesting statement by the gentleman from New York [Mr. LaGuardia], who is interested and qualified to speak informally on that subject. My understanding is that he purposes to present an amendment seeking to increase the appropriation for experimental studies with a view of increasing the speed of our planes.

Mr. CONNERY. Will the gentleman yield?

Mr. OLIVER of Alabama. I yield.

Mr. CONNERY. I think the gentleman from Alabama will agree with me that naval aviation is the eye of the Navy, and the Army plane is the eye of the Army. As a former soldier I am interested in speed of that sort so that we can keep aviation up to the standard of other countries, because if we do not and there should come a war, we are at their mercy.

Mr. OLIVER of Alabama. It is a matter of greatest importance. When the gentleman from New York presents his amendment to increase the appropriation for experimental tests, I hope he will have a good audience, and that sufficient time may be given to have the matter fully discussed.

We are carrying a large appropriation for experimental tests and research; but if the amount is shown to be insufficient, I will be very glad to vote for an increase.

Mr. CONNERY. I am very deeply interested in it, because during the World War I saw a picture of it where my own regiment was on the side of a hill. There were no American planes above us to defend us, and the Germans came over, leaving a smoke trail to show the position of our regiment, and we lost many men killed on that hillside due to lack of aviation.

Mr. OLIVER of Alabama. Knowing how alert the gentleman from Massachusetts is in keeping up with all information relative to these matters, I know he understands that we have made rapid progress in aviation since that date, and that we are not now lagging behind any country so far as reliability of planes is concerned nor in the efficiency of our pilot personnel. We may not have planes quite so speedy as some abroad, but we have planes of every type capable of satisfactory and reliable performance. [Applause.]

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman from Alabama yields back 10 minutes.

Mr. AYRES. Mr. Chairman, I yield to the gentleman from Arkansas [Mr. Glover] five minutes.

Mr. GLOVER. Mr. Chairman, ladies and gentlemen of the committee, I desire to discuss with you during the time allotted to me Senate bill No. 4123, known as the Glenn bill.

In my opinion there is not a bill on the calendar for consideration of more importance than this bill. I am on the Committee on Irrigation and Reclamation in the House, and early in the beginning of this Congress we began the study of this subject of giving relief to drainage and levee districts, so as to save the lands to the farmers in those districts. A number of bills on this subject were introduced and referred to this committee, one of which was introduced by me.

This is an act to provide for the aiding of farmers in any State by the making of loans to drainage districts, levee districts, and other political subdivisions.

The bill passed the Senate several months ago and was sent to the House, and was there referred to the Committee on Irrigation and Reclamation, where it has been care-

fully considered, and has been amended so that no one, in my opinion, who knows the distress of many of the farmers living in these districts, would vote against it if given a chance to do so. The bill has been favorably and unanimously reported out by the Committee on Irrigation and Reclamation in the House and is now on the calendar, where it has been for many days.

If the Rules Committee would grant us a rule for the consideration of this bill, it would pass the House by a large majority in my opinion. Recently 135 Representatives in Congress and representing 34 States signed a petition asking the Rules Committee to grant us a rule for the consideration of this bill. The Rules Committee has heard the pleas of these men for three days and has had ample time to grant the rule, and thus far they have not done so. Will this Committee on Rules disregard the request of 135 of its Members to grant us the right to have this bill considered on the floor of the House? If this is done, then we can no longer say that Congress is a deliberative body except at the will of the all-powerful Rules Committee, to say what subjects shall be deliberated upon.

Section 1 of this bill provides that the Secretary of the Interior is authorized to loan out of the revolving fund hereafter created to any such district or legal entity an amount sufficient to redeem such bonds, certificates of indebtedness, or lawful indebtedness under such restrictions and conditions as hereinafter set forth.

Section 3 provides that loans shall be made only to the legally constituted authority which has issued the bonds, or its successors in interest, and not until the Secretary of the Interior has satisfied himself by such examination of the engineering works, for which the legal obligations were issued, as he may deem necessary, of the reasonably successful operation thereof, and the lands designed to be benefited by these works are receiving benefit to a reasonable degree.

The bill provides that the Secretary of the Interior shall make, or cause to be made, an appraisal of the value of the taxable property of each district making application for a loan as well as of its economic value, and no loan shall be made until the Secretary is satisfied that it will be paid at maturity.

The bill further provides that the Secretary of the Interior before making the loan must be satisfied that satisfactory legal authority exists for and ample provisions have been made to annually tax the taxable property accepted as security for the bonds issued sufficient to pay the maintenance expenses of the district for a period equaling the life of the loan.

The bill further provides that beginning at the end of 10 years the annual taxes must be sufficient to establish a sinking fund which will retire the loan at the maturity dates fixed by the Secretary of the Interior. All money collected for the sinking fund must be deposited in the Treasury of the United States to the credit of the debtor, but may be transferred into the revolving fund by the Treasurer of the United States on application by the Secretary of the Interior.

Section 4 of the bill provides that the Secretary of the Interior is hereby authorized and empowered to negotiate with the owners and holders of the bonds and other evidences of debts of the various districts hereinbefore referred to for the purpose of compromising and reducing the amount of existing indebtedness, both of principal and interest, and the Secretary of the Interior is accordingly given full power and authority to make such adjustments before the loans herein provided are made.

You can readily see from these provisions that no loans would be made except those that are absolutely sound and which, in the judgment of the Secretary of the Interior, would pay out according to the provisions of the loan.

Under section 4 many thousands of dollars can be saved to the landowners in settlements made by the Interior Department with those holding the bonds, because many of the districts are now in the hands of the receiver, and those holding the bonds would be willing to take their losses now.



Section 5 of the bill provides that loans shall be made for a period not exceeding 40 years, to be determined by the Secretary of the Interior in each case, which shall bear interest at a rate of 3 per cent per annum, payable annually, provided, however, that during the first 5 years of the loan the interest may, in the discretion of the Secretary of the Interior, accrue and be payable during the succeeding years of the loan in equal annual installments.

The most of these bonds are now bearing 6 per cent interest. Under the provisions of this bill there would be a saving of 3 per cent interest on the bonds, and no interest charge at all for a period of five years. Then the indebtedness is to be carried for a period of 40 years at a rate of interest not exceeding 3 per cent. The saving in interest alone under the provisions of this bill would soon mature these bonds and have the lands absolutely free from indebtedness.

Section 6 of the bill provides that—

Whenever any district shall have sold any property in said district for unpaid taxes and shall have bought in the same, and shall hold the title to such land, then the Secretary of the Interior shall require, when any loan is made to said district, that the district allow the owner at the time of such sale and purchase, or his heirs at law, executors, administrators, or assigns, to repurchase said land for no greater sum than that for which it was sold and purchased, plus taxes which have accrued on the same since the date of said sale: *Provided, however*, That the owner, his heirs at law, executors, administrators, assigns, or grantees shall exercise such right within two years after the date of said purchase by the district and the district shall, at the time of the exercising of the right to repurchase, hold title to the lands sought to be redeemed.

Under the provisions of this section the landowner whose lands have forfeited will have a chance to redeem them if they have been bought in by the district, and repossess his own lands by paying whatever taxes have accrued on the lands by that time. Ninety-five millions of dollars are authorized to be appropriated under this bill for the carrying out of this provision, and further provides that an appropriation not exceeding \$19,000,000 shall be made annually.

This safeguards the bill and gives ample time for the Interior Department to make its investigation of each district seeking a loan, and to determine whether or not the loan would be safe to the Government.

The bill further provides that the Secretary of the Interior shall make all reasonable and necessary regulations for carrying into effect the purpose of this act.

In order to show you how this bill would affect my State, let me give you a few figures. In Arkansas we have 2,183,015 acres of land that are in bonded districts. Of this number of acres we have 119,759 acres in cultivation. The assessed valuation of these lands is \$29,689,454.23. There are 31,687 landowners in Arkansas that own these lands. The drainage taxes this year on these lands are \$1,844,779.79. Of this number of acres, 321,289 acres were delinquent this year. The amount of delinquent bonds this year were \$522,000.

From these figures one can readily see how much help and profit this would be to the farmers of Arkansas.

We have in one county in my district more than 60,000 acres of land that have forfeited for taxes which were levied for levee and drainage building which went into and formed a part of the flood control of the Mississippi. These lands border on and are near the Mississippi River.

There are at least six or more counties in my district that are vitally interested in this legislation—the counties of Lonoke, Arkansas, Jefferson, Desha, Lincoln, and a part of Drew. Many thousand acres of the finest lands in our State are embraced in these counties, and much of the land, on account of the heavy burden of taxes and on account of the condition created by the proposed Jadwin plan of the control of the Mississippi, has been placed in a desperate condition.

The people have been exceedingly discouraged, not knowing what was going to be the final outcome of all of their land holdings. The flood of 1927 and the excessive rainfall before and since then in that section have caused the production in several years to decrease. Then, last year we had the worst drought that has ever visited any State.

When these lands are forfeited and no taxes collected on them, then the burden of taxation is heaped heavily on those that do pay in order to maintain a county and State government. Under the law of Arkansas, if lands are forfeited and sold for State and county taxes, the State buys them in, and thereafter they are not taxable so long as the title remains in the State. Of course, a lien is placed on all of these lands for the purpose of levy and drainage purposes, and if the tax is not paid and a foreclosure was had by the owner of the bonds the property owners would lose their title, and it would go into the possession and ownership of the district that was formed in which it was situated.

Before the standard levee as proposed by the engineers of the War Department was built it was necessary that the owners take care of the storm waters that found their natural outlet in Desha County through Cypress Creek drainage system, which system appears to have been formed by natural causes many years before any levee construction had been undertaken. About the year 1910 this survey was undertaken by the Department of Agriculture, and soon after the completion of the survey a bill was introduced in the Arkansas Legislature creating the Cypress Creek district. The preamble of the bill recites that the drainage district was being constructed for the purpose of closing the Cypress Creep Gap, thereby making it possible for the Government to build its standard levee for the purpose of controlling the waters of the Mississippi and which forms a part of the flood control.

The property owners were told, and it was understood by all the property owners, that the standard levee anticipated the highest possible stage that could exist and that we would have a territory forever protected from the ravages of the Mississippi River. The Cypress Creek drainage project was financed, so far as the survey was concerned, by the Department of Agriculture, and the act which created the district provided that the levee district might use its funds in assisting in this project. In other words, both the levee and the drainage acts anticipated a levee system and not a drainage system.

Desha County has approximately 480 sections of land lying in what has heretofore been known as the protected area—that is, on the land side of the controlled levee. In these 480 sections of land are approximately 310,000 acres, and the 310,000 acres are bonded for more than \$30 per acre, when all the bonded indebtedness has been taken into consideration and the accumulated interest necessary to redeem these bonds.

The situation described above in my district is a similar situation to that facing the people in many States. There are 34 States vitally interested in this legislation. There is no legislation that is now or has been before Congress that is of more importance to the agricultural interests of the United States than this bill provides for.

If you really want to help agriculture, pass this bill, and it will accomplish more than the Haugen bill has accomplished or ever will accomplish, unless it is amended and made more effective than it is now, and which should be done before this Congress closes. [Applause.]

Mr. AYRES. Mr. Chairman, I yield to the gentleman from Texas [Mr. SANDERS] such time as he may desire to use.

The CHAIRMAN. The gentleman from Texas is recognized for one hour.

Mr. SANDERS of Texas. Mr. Chairman, I am very much in favor of the legislation which has been discussed by the gentleman from Arkansas [Mr. GLOVER], but I rise for the purpose of calling attention to another matter. Since this Congress convened there has been much discussion on the floor of the House as to whether or not we shall pay to the ex-service men their adjusted-service certificates. Bills have been introduced on that subject, referred to the Ways and Means Committee, and hearings have been held, and there is a pressure to have some legislation enacted at this session of Congress, and I hope the proposed legislation passes and the ex-service men are given the relief to which they are entitled. I have already gone on record in favor of this legislation, and I now ask unanimous consent to



revise and extend my remarks on that question and to incorporate some resolutions passed by the American Legion post at Mineola, Tex., and also some resolutions on that subject passed by the Legislature of the State of Texas, both of which I heartily indorse.

Mr. Chairman, I yield back the remainder of my time.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to revise and extend his remarks in the RECORD by printing certain resolutions. Is there objection?

There was no objection.

The resolutions are as follows:

LUCKETT COCHRAN POST, No. 296,  
THE AMERICAN LEGION,  
Mineola, Tex., February 2, 1931.

Resolutions indorsing Wright Patman bill, or immediate cash payment of adjusted-service certificates

Whereas there is now pending in the Congress of the United States House bill No. 3493, known as the Wright Patman bill, providing for the immediate cash payment of the adjusted-service compensation certificates to the veterans of the World War; and

Whereas there is at this time widespread suffering throughout our country, especially among the more than 3,000,000 World War veterans and their families, many of whom are destitute and suffering for the actual necessities of life; and

Whereas we believe the payment and distribution of more than \$3,000,000,000 would tend to relieve suffering humanity as well as the financial stress through which the Nation is passing: Therefore be it

*Resolved*, That we, as citizens and ex-service men in mass meeting assembled, hereby give our unanimous indorsement to the Wright Patman bill providing for the immediate cash payment of the adjusted-service compensation certificates due the veterans of the World War; second, be it further

*Resolved*, That a copy of these resolutions be forwarded immediately to each of our Representatives in Congress, MORGAN G. SANDERS, and Senators MORRIS SHEPPARD and TOM CONNALLY; a copy each sent to National American Legion headquarters and department headquarters, Austin, Tex.; a copy spread upon the minutes of this post; and a copy furnished each of the five papers of the county for publication.

Respectfully submitted.

C. E. NESBITT,  
Chairman Resolutions Committee,  
Lockett Cochran Post, No. 296, Mineola, Tex.

Adopted by a vote of 114 to 0.

B. A. PARRISH, Post Commander.  
Geo. E. HUGHES, Adjutant.

#### House Concurrent Resolution 10

Whereas our country is faced with the greatest unemployment crisis that it has undergone in its history; and

Whereas among the millions of unemployed are many veterans of the World War who served in the Army, Navy, and marine forces for approximately a dollar a day while many others were drawing high wages and others were making great profits from the sale of war materials; and

Whereas there was passed by the National Congress a bill giving such veterans an insurance policy payable in 20 years, the amount conditioned on the length of their service; and

Whereas there are measures pending in the National Congress to pay those policies in cash or to issue negotiable bonds that could be cashed by the holders of these policies; and

Whereas such measures would greatly relieve the distressed condition of a large number of veterans and would tend to greatly improve the economic condition of our country by placing more money in circulation: Therefore be it

*Resolved by the House of Representatives of the State of Texas (the Senate concurring)*, That we indorse and ask the passage by the Congress of the United States of such measures as will secure for the veterans of the World War the payment of their insurance policies in cash at face value at the earliest possible time; be it further

*Resolved*, That a copy of this resolution be sent to each Member of the House of Representatives and each Senator from Texas in the Congress of the United States.

FRED H. MINOT,  
Speaker of the House.  
LOUISE SNOW PHINNEY,  
Chief Clerk of the House.  
FRED C. HARDING,  
President pro tempore of the Senate.  
BOB BARKER,  
Secretary of the Senate.

Mr. HARDY. Mr. Chairman, I yield 15 minutes to the gentleman from Washington [Mr. MILLER]. [Applause.]

Mr. MILLER. Mr. Chairman and members of the committee, I might well entitle my remarks "The Neglected Area in the National Defense."

A properly planned and a properly balanced defense of our seacoast is the province and duty of the two military branches of the Government—the Army and the Navy. It is their definite sphere of action. It is to them that the American people look for protection from invasion in time of war and to them and them only can they turn for security and safety.

America was colonized from the seacoast. It is probably the outstanding great country of the world as an example of coastal colonization. From the beginning the interior of our country has been colonized by the overflow of coastal population. No great flow of people over the inland border has ever taken place in our national history. Hence the great cities of America are on the seacoast, open to the world.

Our great railway systems lead from the interior of the country to the coast. To these world ocean ports go our products and our commerce. This was and is perfectly natural in order that our productions reach the world markets and that the imports reach our people.

Following the Atlantic coast beginning in the North we find the great cities of Boston, New York, Philadelphia, Baltimore, Washington, the National Capital, and the lesser cities of Charleston and Savannah directly on the ocean's front. The same only in a lesser degree is the great city of New Orleans. Mobile and Galveston are on the open sea. On the Pacific coast we find the great cities similarly situated on the ocean front. Los Angeles, San Francisco, Oakland, and the cities of Puget Sound are ocean ports. Portland, Oreg., is practically on the sea.

All of these populous cities with their people and their national wealth are exposures that must be reckoned with when we speak of the national defense in its broadest sense, and it is to the Army and Navy that they must turn for protection. Not only are these great cities to be kept in security but the intervening coast line where an expedition may be landed in emergency must be likewise guarded and protected. It will thus be appreciated that with the entire Atlantic coast, the Gulf coast, and the Pacific coast, with every city and every mile a potential landing place for hostile forces, that the security and safety of our people from attacks from the sea is the greatest conception of the national defense.

Now, if there is any area or sector in this entire coast line where adequate and proper defense is not provided, where the national security is not fulfilled—the people of that area or locality are in peril.

#### THE NORTH PACIFIC COAST OPEN TO ATTACK

Mr. Chairman and gentlemen of the committee, let me call your closest attention to the North Pacific coast. From San Francisco north to the Arctic Circle there is nothing worthy of being called a coast defense, either from land, sea, or air. Portland, Oreg., can be easily defended in an emergency from attack by sea, but there is no air defense.

But what of the Puget Sound area? There is the Nation's weak, I might say, weakest point in the entire coast line of America. While we may all recognize the interdepartmental relations of the Army and Navy—that the Army is to defend the coast line and that all naval activities are to accompany the fleet—there are in this area little, if any, adequate Army activities to be made use of by that branch of the service and no naval activities in the least that could or would accompany the fleet in any possible emergency. There are no naval or Army air defenses north of San Francisco and no move to establish such appears to interest either the Navy Department or the War Department. It appears that both these military branches of the Government are willing to let this great exposure exist in neglect. Southern California—the extreme tip of southern California only—appears to be in the eye of both Army or Navy. It is there the Navy goes and there it remains.

The Pacific fleet visits Puget Sound only occasionally, and then hastens back to California and to the much-coveted and yearned-for southern tip of that State. No Pacific Fleet nor any unit of it ever turns to the north when leaving



Puget Sound and seeks out the added peril to the north Pacific coast arising out of the existence of the Alaskan Archipelago.

On Puget Sound is located the great naval industrial unit of the coast—the only navy yard capable of accommodating our major ships either for repairs or docking. The Pacific torpedo station is likewise there—the only supply of torpedoes on the coast is centered there. These two indispensable land units to keep afloat the Pacific Fleet are in this neglected area wide open to air attack from the open Pacific 50 miles to the west.

Our people in this locality, realizing the open and helpless condition of the Puget Sound Navy Yard and the Pacific torpedo station some years ago, prompted by the patriotic desire to help cure this neglect—do their part—donated to the Government the only tract of land topographically and from wind-current standpoints available for a Navy air base. This tract was accepted, and from that time to this development has dragged and dribbled along with an amazing indifference to utilize this donation as any substantial element of the national defense. Up to the present time there has been expended on the Seattle or Sand Point Air Station the sum of some \$855,000. Such as they are in their incomplete forms are well designed and practical, but no Navy air force or unit has been installed nor is there even a prospect of such units being installed there in the near future. When we consider the fact that there is not a naval or an Army flying field north of San Francisco nor a flying force of any kind or character in the entire north Pacific coast, we are amazed that this condition should not attract the interest of the Navy Department.

Puget Sound can not be defended by air forces coming from the lower tip of California. Only a few months ago the Navy Department ordered two Navy flyers to proceed to Alaska to assist in finding some lost aviators in the wilds and it took five days for these machines to reach Seattle from San Diego. Everything is in readiness at Sand Point for the development to proceed to the point of installing Navy flying units but it is held back by lack of Budget estimates and allowances arising fundamentally and in the first instance by lack of Navy interest in the field and lack of emphasis and enterprise.

Last year the Navy appropriation carried \$75,000 for some specific items. This year this bill H. R. 16968 carries \$82,000, \$50,000 of which is in payment for 26 acres of land authorized to be purchased at the last session of Congress to round out the field, leaving the sum of \$32,000 for power house, distributing system, roads, and walks.

The original authorization for the first or initial 5-year development program carried something like \$1,115,000 and under this authorization substantial progress was made to the sum of \$855,000, but during the years 1930 and 1931 work has practically stopped.

I have repeatedly appeared before the department and before the Appropriations Committee of the Congress for sufficient funds to complete the initial program—get the field on its feet so to speak. When this is done, naval flying units installed, with equipment assigned, this neglected and overlooked area will afford at least some defense from the air in emergency without relying on forces a thousand miles distant. The Appropriations Committee is bound by the Budget estimates. The responsibility for the present neglected condition rests with the Navy Department.

Puget Sound with its navy yard and torpedo station, aside from its great Pacific transcontinental railway terminal facilities and its commercial and maritime importance, is a sensitive point in our national defense now too long neglected. Destruction of these two great naval industrial units by an air raid from the open Pacific would leave the Pacific Fleet at the mercy of a hostile force.

I urgently call this to the attention of the Navy Department, the War Department, and especially to the Director of the Budget with the hope that this unprotected area may cease to be the one inviting and attractive place for an attack that would be felt throughout the Nation. [Applause.]

Mr. HARDY. Mr. Chairman, I yield 15 minutes to the gentleman from New Jersey [Mr. FORT].

Mr. FORT. Mr. Chairman and members of the committee, about a year ago I introduced an amendment to the rules of the House, which I have never discussed on the floor. It relates to the constitutional privilege of Members of the House. The pertinent provisions of the Constitution are, first, that—

Each House may determine the rules of its proceedings, punish its Members for disorderly behavior, and, with the concurrence of two-thirds, expel a Member;

and, second, that—

they [the Senators and Representatives] shall in all cases, except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses and in going to and returning from the same.

Then follows the language to which I have special reference in what I shall say to-day:

And for any speech or debate in either House they [the Senators and Representatives] shall not be questioned in any other place.

This last provision, generally known as the immunity provision, has been interpreted very broadly both in the courts and in the House and Senate of the United States.

In this House a citizen has been censured, after arrest by the Sergeant at Arms, for an attack upon a Member delivered in a public park in this city because of remarks made by the Member on the floor relating to the citizen. In other legislative bodies to which this provision relates similar action has been taken, which amounts to a denial to the citizen of any right anywhere to show even any annoyance at remarks made about him on the floor of a legislative body. The language of this provision of the Constitution is so broad and its effect so strips the citizen of any right whatever in the premises that I introduced an amendment to the rules of the House in December, 1929, and may I say it was then introduced because it was the very beginning of a legislative session and I desired to bring the matter up at a time when it could not be thought to have particular reference to any particular instance which had occurred in any legislative body.

The rule which I introduced contains two clauses. The first creates, as an addition to the list of standing committees of the House of Representatives, "a committee on the abuse of privilege in speech or debate, to consist of five members." The second branch of the rule confers powers on that committee in the following language:

The committee on the abuse of privilege in speech or debate may hold hearings for the purpose of determining whether a Member, in any speech or debate for which under the Constitution he may not be questioned in any other place, has made any untrue charge, accusation, or statement with respect to any person, if complaint is made to such committee by such person or by a Member, and upon reaching its determination the committee shall report its findings to the House with such recommendations with regard to discipline, if any, as it may deem advisable.

I want to discuss briefly the immunity provision of the Constitution and this rule as a possible cure of abuses which, I am proud to say, have been far more frequent in other bodies than in the House of Representatives. However, as this body gives, concededly, in the minds of the American people to-day the outstanding example of how a legislative body should conduct itself, it has occurred to me as proper and desirable that we should be the first to go upon record as conferring upon the citizens of the United States some form of protection against our own Members, which all legislative bodies should have. [Applause.]

Now, this provision in the Constitution conferring immunity is, both in the popular mind and in the minds of members of some legislative bodies, somewhat misconstrued. There is a definite limitation to words spoken in debate. It is true that the Supreme Court, in the Kilbourn case, somewhat extended that language so as to include within the scope of the immunity of Members matters contained in resolutions, which would necessarily have to be read, in the reports of committees, and things of that sort.

But it is perfectly clear that this immunity, and the public, I think, is entitled to be so advised, does not cover



anything that may be said by the member of a legislative body anywhere except in the sessions of the body itself. What is said in the meeting of a committee or in the lobby of the House is not privileged. The privilege is given on the floor of this body, because somewhere, it is conceded by the Constitution, there must exist a forum where men may freely speak their views, but it applies only to the actual making of the speech or filing the document in the House. I would suggest to the members of some legislative bodies that, however, there is no sacredness about matter released to the press.

In my own State some years ago I happened to be counsel in a suit for libel. The basis of the suit was the allegation that a lawyer and his client who had filed a bill in equity charging fraud against others had handed a copy of that bill to the press, and our highest court held that that was a libelous publication, although the bill as filed in the office of the clerk was privileged against suit for libel.

The sole privilege that a Member has or should have is to speak here, and I firmly believe that the immunity does not extend to or cover any Member who has sought to secure the publication of slanderous attacks on citizens by handing a copy of those attacks to the press, even though the words have been or subsequently are uttered on the floor. I doubt, personally, whether even their publication in the CONGRESSIONAL RECORD under all circumstances is privileged.

Mr. O'CONNOR of New York. Will the gentleman yield?

Mr. FORT. I yield.

Mr. O'CONNOR of New York. The gentleman knows, of course, there is a lot of well-founded sentiment that there should not be any immunity even for words uttered on the floor, and I would like to have the gentleman state, fundamentally, why there should be such immunity.

Mr. FORT. The history of the immunity provision is that in the early days of parliamentary government in England, the King reached his long arm even into the Parliament, under the alien and sedition laws that then prevailed, and punished members for there speaking freely their opinions about his conduct of the government. From that there grew the general feeling in parliamentary bodies—and this immunity is not peculiar to the provisions of the United States Constitution but attaches generally in parliamentary bodies the world over—that somewhere in the public interest there should be a place where a man could freely, and without fear, threat, or compulsion from anybody, speak his opinion on any subject whether it be agreeable to those at the top of the government or whether it even be popular for him so to speak.

It has been stated in the debate on some of the questions which have arisen on this subject in the past in this House—on questions that have arisen in protecting the Members under their immunity—that in other nations, as here, members have been subject to physical attack, and that if that happened in a community where the sentiments uttered by the Member were not the will of the public generally, the Member would be unable to procure redress in the ordinary course—for instance, it might happen in the District of Columbia, although we have a very pacific population here, that a Member might make statements on a District of Columbia matter which would make it very difficult, if he were attacked on account of it, to secure indictment or conviction—that somewhere there must reside a power to protect the right in a legislative assembly to free speech, and that only by conferring on the membership—and this is the point of what I have to say—an absolute immunity, not to be questioned in any other place, can such free speech on public questions be protected.

The purpose of the rule I offer is what seems to me to be the absolute and inescapable converse of immunity from being questioned in any "other" place, namely, that on the floor of this House or any other legislative body there shall be set up a forum where the man may be questioned in the place of utterance as to the propriety and the honesty of his statements.

Mr. SPROUL of Kansas. Will the gentleman yield?

Mr. FORT. I yield.

Mr. SPROUL of Kansas. Would not such a rule as the gentleman proposes be so in conflict with the immunity provisions of the Constitution as to practically nullify the immunity part of the Constitution?

Mr. FORT. The gentleman, I think, has overlooked the fact that he may be questioned only on the floor of the body where the remarks are made. Does the gentleman think that his fellow Members of the House of Representatives would make a ruling in the case of any utterance he might make on this floor that would improperly hamper the general freedom of speech of the general membership of the House?

The disciplinary power I would vest in this House, because only in this House, as it now stands, can any discipline be meted out and still preserve proper freedom of speech.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. FRENCH. Mr. Chairman, I yield the gentleman five more minutes.

Mr. SABATH. Will the gentleman yield?

Mr. FORT. Yes.

Mr. SABATH. In regard to the remarks of the gentleman as to the citizenship of the District of Columbia, I recall that some twenty years ago a Member of the House from Tennessee was assaulted here by a certain banker.

Mr. FORT. I have already referred to that incident.

Mr. SABATH. Now, I wish to ask the gentleman this question: How would the gentleman safeguard the membership from a committee that would be appointed by the Speaker or by a special committee without really the approval of a majority of the House?

Mr. FORT. I said it would be a standing committee and not a special committee. I think the gentleman from Illinois, like the gentleman from Kansas, overlooks the fact that the House itself would be an absolute protection against any unfair discipline of any Member. He has only to think of the jealousy of Members of the House as to proceeding in accordance with the rules of the House—which fortunately divides Members without regard to partisan lines—to be assured that the power vested under the proposed rule would not be abused.

Mr. O'CONNOR of New York. Will the gentleman yield again?

Mr. FORT. I yield.

Mr. O'CONNOR of New York. Is it not a fact that the House can take action against a Member for anything he says on the floor?

Mr. FORT. Yes; the House can.

Mr. O'CONNOR of New York. And if it went to a committee that committee would report back to the House the action taken, and the action taken by the House on the recommendation of the committee would be no more than the House could do right now.

Mr. FORT. Exactly. Now the present position of a citizen, or even a Member who feels himself aggrieved by anything said on the floor of any legislative body, is what? He may not sue for libel; he can not under the ruling of the House in the Glover case take personal vengeance on the man who made the verbal attack; he has nowhere in the world where he may seek vindication and demand retraction. I may call any man in the United States a thief on the floor of this House. It may be given the widest circulation through the CONGRESSIONAL RECORD and perhaps be permitted to go into the press, but he has no forum where he may appear and even ask me why I said it. I propose that this House should set up right here a definite forum where a citizen may come and ask why I said it, so that this House can then determine whether I made a malicious and baseless charge against a defenseless citizen or whether I had reason for what I said.

Mr. GOLDER. Will the gentleman yield?

Mr. FORT. I yield.

Mr. GOLDER. In the Sixty-ninth Congress I introduced a bill which would strip the Member of his privilege and



leave only a defense of the truth of the libel. Would the gentleman be in favor of that?

Mr. FORT. I think not. But I do think that the remedial effect upon members of various legislative bodies of the knowledge that there was a committee whose duty it was to listen to complaints of the abuse of their privilege, which committee was empowered to call witnesses to investigate the nature and the truth of the charges and to recommend action to the body which had created it—I believe the mere creation of that committee would police the debate of every legislative body.

Mr. STRONG of Kansas. Will the gentleman yield?

Mr. FORT. Yes.

Mr. STRONG of Kansas. How would the gentleman get the rule adopted by other legislative bodies?

Mr. FORT. I think the standing that this House has in the minds of the American people as a decently conducted legislative body would establish a precedent which would enforce like action elsewhere.

May I say that at the time the rule was introduced in December, 1929, the press of the country, with substantial unanimity, approved of the theory and purpose of the rule. Practically the only question I saw in any editorial was whether it should be done in this House alone or whether it should not be adopted in other bodies where a similar rule was more greatly needed.

Mr. ALLGOOD. Will the gentleman yield?

Mr. FORT. I yield.

Mr. ALLGOOD. We are considering the naval appropriation bill, and the gentleman is considering more liberal rules. Under the bill does the gentleman propose to establish a court-martial procedure to try Members of Congress?

Mr. FORT. I am proposing that a citizen shall have some place to come and ask me or any other Member why a charge was made against him.

Mr. BUSBY. Mr. Chairman, will the gentleman yield?

Mr. FORT. Yes.

Mr. BUSBY. If I understand the gentleman, he is proposing to establish a committee within the House, to be composed of a certain number of individuals.

Mr. FORT. Yes; and to report to the House.

Mr. BUSBY. Would not that of itself put those individuals who happened to be on that committee out of parity with the other Members of the House and give them a special standing that would not be enjoyed by the other Members of the House?

Mr. FORT. I doubt if the type of men that any Speaker or the House itself would put on such a committee would be the type who would abuse their privilege.

Mr. BUSBY. Would the gentleman favor the Speaker selecting the committee, or the House electing the committee?

Mr. FORT. I have made no change in the rules as to the method of the selection of the committee.

Mr. BUSBY. So that it would be up to the Speaker to select a committee?

Mr. FORT. It would be selected in the same way that we select our other committees, and that is by election.

Mr. BUSBY. It would be bipartisan?

Mr. FORT. Yes.

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield?

Mr. FORT. Yes.

Mr. BANKHEAD. Will the gentleman indicate what he thinks would be the proper character of report that that committee should make against an offending Member if they should find adversely?

Mr. FORT. There would be a wide range of possible reports. There might be a report that the charges were justified, and that the Member was correct in what he had said; or a report that the charges were unjustified, but that the Member had been misled by improper information; or a report that the charges were maliciously made and unjustified; and the report might range in disciplinary provisions all the way from the requirement of a public apology to censure or even expulsion from the House if the offense suffi-

ciently violated the rightful privileges of a Member or offended the sense of decency of the House and reflected public discredit upon it—as like incidents in a certain other legislative body have not infrequently done. In the past this House has considered resolutions of expulsion in the event that Members made unfounded charges against other Members. All I am seeking to do is to extend the same privilege of protection to the citizen against a loose tongue that we extend to our own membership against a loose tongue. [Applause.]

Mr. CONNERY. Mr. Chairman, will the gentleman yield?

Mr. FORT. Yes.

Mr. CONNERY. Does the gentleman believe that there is any Member of this House who would be afraid to state outside of the House what he states on the floor of the House?

Mr. FORT. I do not know. My own feeling on this question is that by no other step could any legislative body, and particularly any body where immunity has been more frequently abused than has been the case here, so completely rehabilitate itself in public confidence as by putting a curb on the unbridled tongue of a Member who has no conception of good taste or fair play. This provision is in the Constitution both as to the Senate and the House. It is also in the constitution of many States. Its abuse has grown more frequent as publicity methods have become more and more important to some members of some legislative bodies.

I would not stand here or anywhere else and urge that there be any curb upon the right of a member of a legislative body to enjoy perfect freedom of speech so long as he tells the truth. I would not stand here or anywhere else and urge that there be anything other than perfect freedom of speech to any man who refuses to take advantage of that immunity to make charges which in the language of the gentleman from Massachusetts he might not dare make somewhere else. But constitutional immunity should never be permitted to become the shield of the liar or the coward.

Mr. CONNERY. I believe in the gentleman's sincerity, but does not the gentleman realize there would be far more danger to the American people by stopping free speech in the House of Representatives?

Mr. FORT. Absolutely. I agree with the gentleman. I do not want to stop free speech. Does the gentleman believe this House would do that?

Mr. CONNERY. That committee of five would be an oligarchy like the three who are now running the House of Representatives?

Mr. FORT. The committee must report to the House. The only power it has is to report to this House. Its action is nothing until this House acts on that report. But I firmly believe, as I stand here to-day, that movements such as that suggested by the gentleman from New York and the gentleman from Pennsylvania for a curbing of the immunity, for a constitutional limitation of the freedom of speech, may come if assassination of character behind the cowardly cloak of constitutional immunity does not cease in our legislative bodies. [Applause.]

Mr. AYRES. Mr. Chairman, I yield 20 minutes to the gentleman from Texas [Mr. PATMAN].

Mr. PATMAN. Mr. Chairman, ladies and gentlemen of the committee, it is my desire to speak to you this evening about paying the adjusted-service certificates. I am happy to know that the Committee on Ways and Means of the House and the Finance Committee of the Senate have been giving hearings and attention to this subject for the last 10 days or two weeks. It is the hope of the proponents of this proposal that legislation of some kind will be recommended by the Committee on Ways and Means within the next two days.

#### COMPROMISES PROPOSED BY OTHERS

It has been suggested through the press, and that is the only information that I have, that a compromise bill is going to be presented which would enable the veterans who are holders of these adjusted-service certificates to borrow additional money upon them. If such a bill is proposed and becomes a law it will relieve much distress now existing



among the veterans of the World War, although I am still hopeful of 100 per cent payment and will still contend for 100 per cent cash payment. I am not going to stand here and tell you that I would oppose any legislation that would be of substantial assistance to 500,000 or 1,000,000 veterans in the United States to-day who are suffering because they do not have sufficient clothing and food for themselves and their wives and children, if I were convinced that we could not get more; but I am not so convinced. Of course, any legislation that would be of substantial assistance to these people we shall appreciate very much, but I do want to invite your attention to the fact that the proposal which has been suggested through the press is not just exactly right, and besides there is no reason why we should compromise on a smaller cash payment than 100 per cent. The veterans of the World War who are holders of the certificates have had the borrowing privilege in the past.

#### BORROWING CAUSES INTEREST TO CONSUME CERTIFICATE

A veteran who obtained a certificate on January 1, 1925, the earliest day that a certificate was obtainable, on January 1, 1927, was permitted to borrow a small sum of money upon it.

Let us take for illustration the average certificate. The average certificate is \$1,010, but to make it easier we will consider it as \$1,000. On a \$1,000 certificate the veteran borrowed on January 1, 1927, the sum of \$88.15; on January 1, 1928, \$26.80; the next year, \$25.40. That sum will decrease each year until the last he will be permitted to borrow about \$19, and throughout the life of that certificate he will have borrowed an average sum of \$2 a month.

#### MONEY OBTAINED IN DRIBS

In that way and under the present law he is getting his money in little dribs. He is never receiving a substantial amount, an amount sufficient to be of material or substantial assistance to himself or to his family. It is not enough to make a payment on a home, not enough to pay any notes that are against his home, or to buy any article of furniture or anything of substantial value or assistance.

Therefore, the present plan should be changed. This veteran, in borrowing this money, has been compelled to pay what I consider an excessive rate of interest for money that I consider is his money. In arriving at the value of the adjusted-service certificate the Government is paying that veteran what amounts to \$1 and \$1.25 a day for his services at home and overseas during the war, 25 per cent increase for waiting, and then interest based upon 4 per cent compounded annually thereafter until the certificate amounts to a certain sum 20 years in the future. So in effect it amounts to paying the veteran 4 per cent for his money, but the veteran, in borrowing his money, has been compelled to pay from 6 to 8 per cent for that money. It is true, I believe, that in January, 1929, a bill was passed by Congress which limited the amount of interest that the Veterans' Bureau could charge the veteran to 6 per cent, but there is no limitation as to the amount of interest a bank can charge the veteran except that it shall not exceed 2 per cent above the rediscount rate. Of course, sometimes the rediscount rate goes up to 6 or 8 per cent or more.

#### HIGH INTEREST RATE CHARGED

I hold in my hand three notices of a loan to a veteran. It is a typical case. Here is a man who holds a certificate for \$1,582. By the way, his name happens to be Wickersham. On January 1, 1929, he borrowed on his certificate. The interest rate from the office at Lawrence, Kans., was 7 per cent. On January 1, 1930, he made another loan on his policy, and the interest rate was 6 per cent. The next year, January 2, 1931, the interest rate is 5½ per cent. It just happens that this year the rediscount rate has been lower than it has been in the past, but we do not know how long it will remain that way.

Surely it will not remain that way very long, but that veteran is paying on an average of 6½ per cent annual interest for his money. What does that amount to? You will say it does not amount to much, but if you take it over a period of 20 years on a policy amounting to \$1,000

you will discover that at the end of 20 years the veteran will have paid out in interest several dollars more than he will have received in principal on his own policy. That is not right. That is not fair to the veteran. Neither does the Government want to be put in the attitude of taking advantage of the veteran who is in need, as would be claimed by some people, the veteran who is compelled to borrow these little dribs on his certificate.

#### ANOTHER LOAN WILL CONSUME POLICY

A proposal has been advanced to permit that veteran to borrow an additional sum of money on that certificate. I want to invite attention to the fact that if the proposal is adopted as advanced, as I understand it from the newspapers, whereby he can borrow up to 50 per cent of the maturity value of his certificate at 4 per cent, he will never get another dime out of that certificate. Considering the high rate of interest he has paid in the past, which will continue throughout the life of that certificate—although it is lower from here on, it is there in the past, and will remain there—and 4 per cent on the additional loan, it will just exactly consume the certificate at the end of 20 years if he does not pay it back; and in 99½ per cent of the cases he will not pay it back.

#### GARNER BILL

Mr. GARNER. Will the gentleman yield?

Mr. PATMAN. I yield.

Mr. GARNER. The gentleman is familiar with a bill which I introduced with reference to the paying of the value of the certificate at this time?

Mr. PATMAN. Yes; I think so.

Mr. GARNER. In my judgment, after a thorough survey of all the suggestions, that is still the best policy for the Government, and I think will do justice to the soldier; but if Congress should decide to make a loan of 50 per cent of the face value of the certificate at a rate of interest of 4 per cent, does the gentleman not think that at the same time we ought to make an arrangement to refund to the soldier the interest he has paid up to this time in excess of 4 per cent, which would remedy some of the conditions the gentleman has referred to?

Mr. PATMAN. I think the gentleman is correct about that.

Mr. GARNER. May I ask the gentleman, if he does not mind expressing himself, which he would prefer, as an advocate of the veteran—and I am sure I do not go too far when I say that—the cash settlement upon the basis of which I have introduced the bill, or a loan value of 50 per cent, at 4 per cent interest? Which of those would the gentleman prefer?

Mr. PATMAN. I much prefer the bill introduced by the gentleman from Texas, and I believe the veterans of the entire Nation would prefer that bill. I have heard from a large number of veterans about different plans.

Mr. CONNERY. Will the gentleman yield?

Mr. PATMAN. I yield.

Mr. CONNERY. The gentleman would not prefer the bill introduced by the gentleman from Texas over the suggestion which I made yesterday, namely, that of giving them 25 per cent in cash now, with no interest, and letting what they have already borrowed go against the other 75 per cent?

Mr. PATMAN. I prefer that plan to either plan suggested by the gentleman from Texas; that is, to give them permission to borrow at this time an additional 25 per cent without interest; in other words, deduct it from the maturity value of the certificates, and I believe that would relieve much distress that now exists. However, there is no reason why we should accept a proposal providing less than full face value. That proposal is embodied in the Fish bill, introduced by the gentleman from New York [Mr. Fish].

Mr. BLANTON. Will the gentleman yield?

Mr. PATMAN. I yield.

Mr. BLANTON. What the gentleman means is not that they borrow it but that the Government should make a payment of 25 per cent to them on what the Government owes them.



Mr. PATMAN. I think that is explanatory, in view of the fact that I said without interest and to be deducted from the maturity value of the certificates.

Mr. BLANTON. But let it be understood that it is a payment the Government is making.

Mr. PATMAN. The gentleman is correct.

Mr. COX. Will the gentleman yield?

Mr. PATMAN. I yield.

Mr. COX. In order that we may get some of the relief that is promised, under the loan plan what would a veteran get under such a measure on a certificate of \$1,000, the veteran having already borrowed to the limit under the provisions of the certificate. How much would a veteran get?

Mr. PATMAN. Under the proposal to permit a loan up to 50 per cent on an average certificate of, say, \$1,000, a veteran would be permitted to borrow \$275 more than he has already borrowed; that is, the needy veteran. On the average certificate a veteran who would get a payment of 25 per cent, as suggested by the gentleman from Massachusetts [Mr. CONNERY], would get \$250. That would make the maturity value of his certificate \$750, and then to be deducted from it such loans as have been obtained in the past.

Under the plan suggested by the gentleman from Texas [Mr. GARNER], which plan, however, I do not approve, but I would be willing to accept it rather than some of the plans that have been proposed, a veteran on a \$1,000 certificate would be permitted to take at this time \$632 in cash if he has not obtained any loan at all and his certificate would be canceled. Of course, he will get this advantage under the proposal of the gentleman from Texas, his interest payments in the past, where he has paid 6 and 8 per cent, will be adjusted so that in no case will he have paid more than 4 per cent, and that will amount to quite a sum of money to those needy ones who have been borrowing to the limit on their certificates. In fairness to the plan suggested by the newspapers—and I understand some of the Republican leaders are advocating that plan—I want to say that the veterans will be permitted to retain their insurance, and then in the event of death their families will get the benefit of that additional amount. That is one proposition in that particular bill which is meritorious.

Mr. CONNERY. Will the gentleman yield?

Mr. PATMAN. Yes.

Mr. CONNERY. That is what I wanted the gentleman to make clear. If a veteran takes the \$632 under the Garner plan that ends the policy and the widow and children; if the veteran should die between now and 1945, would get nothing further.

Mr. PATMAN. They would get nothing further. Instead of trying to adjust the interest, if you are going to increase the loans, from here on make it 2 or 3 per cent instead of 4 per cent, if any interest at all is to be charged, and then the needy veterans, although they have been paying 6 per cent and even 8 per cent heretofore, will get the benefit of no interest or a low rate of interest from here on. I think the committee should give consideration to that suggestion.

Mr. COX. Will the gentleman yield?

Mr. PATMAN. Yes.

Mr. COX. The Garner plan does not give the soldier all that the Government has contracted by the certificate to give him.

Mr. PATMAN. It depends on the way you consider that.

Mr. COX. It gives him the present value of the certificate, does it not?

#### FACE VALUE DUE THIS YEAR

Mr. PATMAN. I am not making any idle statement when I suggest that 100 per cent of the face value of the certificate is due this year. That can be backed up with figures and that is no idle statement. I can give you an illustration of it. You take a veteran who served 210 days at home and he served 200 days overseas. For his home service he has been allowed \$1 and for his overseas service \$1.25 a day. He is entitled to \$460 as an adjusted-service credit. Congress admitted that \$1 a day was fair for home service and that \$1.25 a day was fair for overseas service.

Therefore he is entitled to a credit of \$460 in adjusted pay. The veteran received for that \$460 a certificate amounting to \$1,000—and that is what he holds—dated January 1, 1925, and payable January 1, 1945.

Now, my theory of it is this: That you are depriving the veteran of the interest on that money that you confessed to be due to him from the time he rendered the service until January 1, 1925. If you say he is entitled to \$1 a day for home service as of January 1, 1925, that is admitting that he was entitled to something like 65 cents for his service back in 1917, 1918, and 1919. But certainly you would not do that. My proposal is that if you give the veteran just the \$1 and the \$1.25 a day from the time the service was rendered, at the rate of 6 per cent, compounded annually, the same rate of interest he has been compelled to pay for his own money, that the face value of each certificate will be due October 1, 1931, this year, and 96¼ per cent of each certificate was due February 1, 1931. But suppose you say 6 per cent, compounded annually, is too much. Of course, I do not think it is, because the Government has been compelling the veteran to pay that same rate of interest for his own money. But let us give some consideration to the thought that 6 per cent, compounded annually, is too much, and suppose you say, "Why, we only paid the United States Steel Corporation 6 per cent simple interest on the hundred million dollars refunded to it as of 1917, 1918, and 1919 and subsequent years." It is true that large amounts were refunded to the United States Steel Corporation on income taxes claimed to be overpaid. In that case you paid 6 per cent simple interest, not from 1925 but from 1917, 1918, and 1919, or the time the excess payments were made into the United States Treasury. So if it is fair to pay on these excess tax payments 6 per cent simple interest, certainly it would be fair to pay the veterans 6 per cent simple interest for their own money that has been retained during this time, and at 6 per cent simple interest how much would they be entitled to now? They would be entitled to 81 per cent, or \$810 on every \$1,000 certificate.

Now, in 1925, you said they should have 25 per cent for waiting. I am not figuring in any bonus, I am not figuring in any 25 per cent increase, I am just figuring in the \$1 a day and the \$1.25 a day with 6 per cent simple interest, and that amounts to \$810 on every \$1,000 certificate.

Mr. COX. Will the gentleman yield there?

Mr. PATMAN. For a brief question; yes.

#### ORIGINAL LEGISLATION

Mr. COX. If I may be permitted to say so, here is the weakness in the position which the gentleman takes. The gentleman is proposing to go back behind the original legislation where this entire question was adjudicated and settled as between the Government and the soldier. The Government issued an evidence of its obligation to the soldier and now we come at this point to consider the question of whether a settlement as between the Government and the veteran shall be made on the obligation now outstanding, and the proposal of the gentleman is to go behind the original legislation in order that—

Mr. PATMAN. Every proposal that is presented is to go behind that legislation. Is it wrong to correct mistakes?

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. AYRES. Mr. Chairman, I yield the gentleman 10 additional minutes.

#### MONEY DUE WHEN SERVICES RENDERED

Mr. PATMAN. It is not wrong to correct a mistake. If Congress made a mistake in 1925, is it wrong to correct it now? Why, certainly not.

I am willing to admit that Congress was right in establishing the rates of \$1 a day for home service and \$1.25 a day for overseas service. I stop there; but I say these veterans are entitled to that money as of the time the service was rendered, and that is the only change I am making.

Every suggestion asks that the law be changed, so why object to doing complete justice when you are suggesting a change?



Mr. DAVIS. Will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Tennessee.

Mr. DAVIS. The adjusted-compensation certificate law was a unilateral agreement, and at least 90 per cent of the veterans wanted the opportunity of taking it in cash at the time and were not given that privilege.

Mr. PATMAN. That is true, and I thank the gentleman for his contribution.

Mr. BLANTON. Will the gentleman yield?

Mr. PATMAN. Yes.

Mr. BLANTON. And if it could have been left to the membership for a vote on that particular question at the time the adjusted certificates were granted the membership would have voted to pay them in cash.

#### BANKERS' OPPOSITION

Mr. PATMAN. Yes; that is my idea about it.

I attended the hearings before the Ways and Means Committee and I heard bankers from different sections of the country paint a very gloomy picture as to the economic structure of our country being destroyed in the event of the passage of the bill to pay these veterans their adjusted-service certificates. They would even have you believe that Liberty bonds would go down to almost nothing and would thereby destroy the credit of our Nation.

#### LIBERTY-BOND HOLDERS PROTECTED

I want to tell you now that the holders of Liberty bonds are better protected against a declining market than anybody in the United States. They are better protected than the wheat grower, the cotton grower, or anybody else, and I think they are the only class that is really protected by an act of Congress, and I want to show you how they are protected. I want to show you how it is impossible for a Liberty bond to go down to any great extent.

When we had a settlement with France and with England whereby those countries agreed they would pay certain large sums of money over a period of 62 years there was a clause inserted in each one of these settlement agreements, and that clause was under the head of "Method of payment," and I am reading now from the French settlement, page 10515 of the CONGRESSIONAL RECORD of June 2, 1926. In that settlement France reserves the privilege of paying to the United States any sum of money, any year, "in any obligation of the United States issued after April 6, 1917, to be taken at par and accrued interest to the date of payment hereunder." In other words, the very minute Liberty bonds go below 100, or below par, France comes into the market of the most prosperous nation on earth and buys up these bonds. Why? Because she can use these bonds to pay her debt to the United States at par and accrued interest. It is therefore impossible for Liberty bonds to go below par to any great extent. I remember that when one payment was made by a foreign government of more than \$50,000,000, out of that \$50,000,000 only \$27.50 was in actual cash. The balance of it was in Liberty bonds and securities of the United States Government which they had bought slightly below par and put them in at par and accrued interest. Therefore the holdings of Government securities are protected in the United States in a way that no other class is protected.

Mr. KNUTSON. How about corporate and private bonds; how are they protected?

Mr. PATMAN. They are not going to be hurt. A nation could not be prosperous unless it has money. They will be helped, because our Nation will be made prosperous. France is prosperous; it has some \$50 per capita. Over here we are depressed, we are poor, one can not buy what another has. New England manufacturers can not buy what we produce in the South and the people of the South can not buy what New England manufactures.

Mr. KNUTSON. With all our poverty we are all right when it comes to automobiles.

#### SELFISH INTERESTS OPPOSE THIS LEGISLATION

Mr. PATMAN. You know we float each year—I am sorry I have not the exact figures here—but we float each year

between seven and eight billion dollars worth of new securities. Now the bankers are opposed to this legislation. They handle most of the new securities, and if they can put \$8,000,000,000 worth of new securities on the market this year—and out of that more than \$1,000,000,000 represents foreign bonds—they will make an enormous amount of money in floating these new securities. But if we put three and a half billions of these bonds on the market, good bonds, not through the investment bankers, it would deprive them of an enormous profit in floating fictitious watered stock and foreign issues and making a big profit out of the American people. Therefore, they are opposing this proposal, not only now but for all time in the future. It is in a way touching their pocketbooks and their profits.

Now we have outstanding \$156,000,000,000 worth of private securities and \$16,000,000,000 worth of Government securities. Do you tell me that floating three and a half billion dollars of good Government bonds is going to destroy the market for Government security, where the Government only owes \$16,000,000,000, and where the wealth of the Government is \$516,000,000,000? It sounds ridiculous. When you tell me that floating three and a half billion dollars is going to destroy the market for \$156,000,000,000 of securities now outstanding it does not seem to me to be reasonable or logical.

#### CONNERY BILL

Now, my friends, I want to suggest to you something about a bill introduced by my good friend from Massachusetts [Mr. CONNERY]. His bill provides that if the veterans do not want the money, let them have a 4 per cent bond, but give them a settlement based upon face value. That would not cause all the bonds to go onto the market at one time. I do not believe in giving a soldier a bond unless you place certain restrictions around it so that they would not be subject to speculation.

There is not a man in the House that has more at heart the interests of the veterans than has the gentleman from Massachusetts [Mr. CONNERY]. He has a distinguished war record. He is known for his ability and fearlessness. He is always battling for the cause of the veterans of the World War. Not only that, but he has the interest of the country at heart and has been on the World War Veterans' Committee ever since it was created. He thinks that this bill would be a better bill than any suggested and I want you to consider it.

#### SHOULD ADMIT FACE VALUE DUE

I think we should admit to the veteran that we owe him this 100 per cent. There is no way around it. We do owe it. The Congress has confessed it, and it is a mere matter of computing the interest in arriving at the sum. We could give these veterans a 4 per cent bond. There is one suggestion I want to make in regard to the bonds. I think they should be issued, if at all, in denominations of \$100 or \$250, or \$500, whichever way the veteran wants it done. Then if he wants to borrow a small sum of money he will not be compelled to put up a bond for a small amount of money. I believe a plan could be worked out in that way. I think the plan of the gentleman from Massachusetts [Mr. CONNERY] is a good one, and that it is worthy of consideration.

#### INTERNATIONAL BANKERS OBJECT

I want to suggest this in closing. In to-day's Washington Herald, on the finance page, February 10, 1931, there is a large article from which I read two short extracts:

International bankers, especially the guardians of the central banks, are seeking to impart impulses toward economic recovery through encouraging a resumption of foreign loans.

Meantime, American, French, and British bankers are discussing an international loan to Germany.

That is the reason why these investment bankers do not want this bond issue put out. Of course they can have a bond issue for a foreign country which will not increase the purchasing power of our people but will decrease it, but they



can clean up several hundred million dollars on an issue like that. They have a selfish reason for opposing this legislation.

DO JUSTICE AND MAKE NATION PROSPEROUS

I suggest in all sincerity, that if you want to do complete justice to the veterans of the World War who are not asking for a bonus or for a gratuity, but just for the payment of a just and honest debt, which has been confessed by this Congress, and if you want a prosperous Nation with plenty of purchasing power, we should pass this legislation which has been proposed here to pay the veterans 100 cents on the dollar, and then you will see complete justice done, and you will see that prosperous Nation in our own land. [Applause.]

I ask unanimous consent to extend my remarks in the RECORD by inserting two short resolutions without the names, one from the Edith Nourse Rogers Post of Disabled American Veterans, of Washington, D. C.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD by the insertion of resolutions. Is there objection?

Mr. SPROUL of Illinois. Mr. Chairman, I have been a Member of this House for about 10 years. I have received resolutions from Spanish-American War veterans and from veterans of the World War from all over this country. I think I can safely say that at least 90 per cent of the Members of the House on both sides of the aisle when they receive petitions of this kind dispose of them in the usual course of dropping them in the basket at the Speaker's desk, where they are referred to the appropriate committees. That is what I have done. I have a petition in my pocket now that I propose to drop in the basket. Therefore I object.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. SPROUL of Illinois. Yes.

Mr. PATMAN. I believe the gentleman will admit that I have received more petitions and resolutions than any 200 Members of this House. I usually file them in the basket. I have never put one in the RECORD, with one exception. This resolution happens to be from a post of men who were actually wounded on the front line of battle in France. They are associated together here in one organization, the Disabled American Veterans' Post. The post is named for Mrs. ROGERS, the distinguished gentlewoman from Massachusetts, who is a member of the World War Veterans' Legislation Committee. It is the Edith Nourse Rogers Post of Disabled American Veterans, of Washington, D. C.

Mr. SPROUL of Illinois. I have the same sort of a resolution, and I am going to take the usual course and drop it in the basket. I object.

Mr. AYRES. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, I do not care to take the time of the committee at this late hour, if I can place this matter before the House in another way. I have sought the time to call attention to the remarks made by Mr. A. Garland Adair, a very able editor, before the meeting of the American Legion at McCamey, Tex., and a resolution passed by American Legion posts of the counties of Upton, Pecos, Crane, and Reagan, regarding the proper disposition of this problem mentioned by my colleague from Texas [Mr. PATMAN]. I have also a resolution from the Isham A. Smith Post, No. 196, of Brownwood, and one from the Tommie Aiken Post, No. 423, of Cross Plains, Tex. I could read these into the RECORD, but if I can get consent to incorporate them in connection with my remarks I shall yield back the remainder of my time. I ask unanimous consent that I may put them in and yield back the remainder of my time.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

Mr. SPROUL of Illinois. Mr. Chairman, for the same reason I object.

Mr. BLANTON. I can read them in, Mr. Chairman.

Mr. SPROUL of Illinois. Mr. Chairman, I understand that objection can be made to the gentleman's reading them in, although I am not very well versed on the rules. If that is so, I object.

The CHAIRMAN. Objection is heard. The gentleman has no right to read a paper other than by unanimous consent.

Mr. BLANTON. Under general debate, Mr. Chairman?

The CHAIRMAN. Yes.

Mr. BLANTON. Many documents are daily read under that rule.

The CHAIRMAN. To read a paper in the House or in the committee when the House is in Committee of the Whole House on the state of the Union, other than the gentleman's own remarks, he must obtain the consent of either the House or the committee.

Mr. BLANTON. Mr. Chairman, I can state the matter from memory, and do not care to read the resolutions, but I do not want the objection taken out of my time, Mr. Chairman.

The CHAIRMAN. Does the gentleman wish to address the Chair on the point of order? The gentleman makes objection under a point of order that it requires the consent of the committee.

Mr. BLANTON. I have such confidence in the parliamentary knowledge of the present occupant of the chair that I obeyed his ruling without arguing.

The CHAIRMAN. The gentleman is entitled to use the remainder of his time.

Mr. BLANTON. I ask that the discussion about the point of order not be taken out of my time.

The CHAIRMAN. The gentleman has consumed four minutes of his time.

Mr. BLANTON. Why, Mr. Chairman, I simply called attention to this point of order. I have not taken up any time except on this point of order.

The CHAIRMAN. The Chair is informed by the official timekeeper that before the objection was interposed the gentleman from Texas had consumed three and one-half minutes.

Mr. BLANTON. Then I am recognized for six and one-half minutes?

The CHAIRMAN. The gentleman from Texas is recognized for six and one-half minutes.

Mr. CONNERY. Mr. Chairman, I move that the gentleman from Texas [Mr. BLANTON] be allowed to read the resolutions to which he referred.

Mr. BLANTON. I ask my friend from Massachusetts not to make that motion. I can state the resolutions without reading them.

Mr. CONNERY. I make the motion. I want to see what the sentiment of the House is on not reading American Legion resolutions.

The CHAIRMAN. The gentleman from Massachusetts [Mr. CONNERY] moves that the gentleman from Texas be permitted to read the matter which he has indicated.

Mr. TABER. Mr. Chairman, I make the point of order that the motion is out of order.

The CHAIRMAN. The motion is privileged and in order. The question is on the motion of the gentleman from Massachusetts.

The question was taken; and on a division (demanded by Mr. CONNERY) there were ayes 18 and noes 19.

So the motion was rejected.

Mr. CONNERY. Mr. Chairman, I make the point of order that there is not a quorum present.

Mr. BLANTON. I hope my friend will not do that. It is not necessary, because I will tell what is in these resolutions.

Mr. CONNERY. When they will not allow an American Legion resolution to be read on the floor of this House, I shall insist upon the point of order.

Mr. BLANTON. I can state the contents of them to the gentleman from Illinois [Mr. SPROUL] and to the committee without reading them, and it is too late to have a quorum.

Mr. CONNERY. I insist upon the point of order, Mr. Chairman, that there is not a quorum present.

The CHAIRMAN. The gentleman from Massachusetts makes the point of order that there is not a quorum present. The Chair will count.

Mr. BLANTON. I hope the gentleman will withdraw that.



Mr. CONNERY. Mr. Chairman, I withdraw the point of order and ask for tellers on the last vote.

The CHAIRMAN. The gentleman from Massachusetts asks for tellers on the last vote.

Tellers were refused.

Mr. CONNERY. Mr. Chairman, I make the point of order there is no quorum present.

The CHAIRMAN. The Chair will count.

Mr. BLANTON. Mr. Chairman, in the hopes of preventing a roll call I make a preferential motion. I move that the committee do now rise. I do not want to delay the matter here by a roll call.

The CHAIRMAN. The question is on the motion of the gentleman from Texas.

The motion was rejected.

Mr. CONNERY. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The gentleman from Massachusetts withdraws the point of order that there is not a quorum present, and the gentleman from Texas [Mr. BLANTON] is recognized for six and one-half minutes.

Mr. BLANTON. Mr. Chairman, I may state to the gentleman from Illinois [Mr. SPROUL] that in McCamey, Tex., there is one of the finest and most enthusiastic groups of business men that I ever saw in my life.

Mr. SPROUL of Illinois. Is that in the gentleman's district?

Mr. BLANTON. No. It is in the district represented by my good friend CLAUDE HUDSPETH. They are active business men, active every moment of the day on every matter that concerns the best interests of this Government. They have an active American Legion post there. They met last week with the Legion posts of the counties of Upton, Pecos, Crane, and Reagan, and were addressed by an able newspaper editor in west Texas, Mr. A. Garland Adair, and those posts voted unanimously favoring the Government paying the adjusted-service certificates to the ex-service men of the country. The business men there are behind it. There was not a voice against the action taken there. They asked Congress to do something.

At Brownwood, Tex., there is another live post of American Legion members, the Isham A. Smith Post, No. 196. They met the other night and by unanimous vote voted for this settlement, for the Government to pay this honest, just debt of \$1 a day for the men who stayed at home and \$1.25 for the men who went abroad to the trenches, which was due them in cash when they returned from France in 1919 and has been due ever since.

At Cross Plains, Tex., the Tommie Aiken Post, No. 423, met the other night and took similar action. Every member voted for it, and they have sent their resolutions to this Congress.

This is supposed to be their Congress. This is the Congress of the United States.

Mr. SPROUL of Illinois. Will the gentleman yield?

Mr. BLANTON. I do not want the gentleman to take up my time. He has taken up most of my time already.

Mr. SPROUL of Illinois. I will try to get the gentleman five additional minutes.

Mr. BLANTON. The gentleman has kept me from reading these resolutions. I want him to sit here and listen to what they contain. [Applause.] These are ex-service men here appealing to the gentleman from Illinois as a Member of this Congress to do justice by them, to see that the honest debt that the Government owes them is properly settled.

Mr. SPROUL of Illinois. What would become of this petition if it was written into the RECORD?

Mr. BLANTON. I do not want the gentleman to take up the balance of my time, because he ought not to do it. The gentleman ought to be fair enough to let me tell him about it, and the gentleman ought to sit still and listen to me, because the gentleman prefers to hear me tell him about it than to have me put these resolutions in the RECORD so that he can read them in the RECORD.

Mr. SPROUL of Illinois. I always make it a point to listen to the distinguished gentleman from Texas.

Mr. BLANTON. I know the gentleman from Illinois is my friend. He sees these partisan matters coming up here and he raises a question about them, and yet his Republican side of the aisle—on which I talk very infrequently but upon which I am talking now to be close to him—is responsible for not paying this debt to the soldiers. He knows there is hardly a man on the Democratic side of the aisle but who is ready to vote right now to pay that debt, and it is his Republican side of the aisle that is blocking the payment of it. He ought to get busy and get in a proper bill here. He ought to do what the gentleman from Massachusetts [Mr. CONNERY] has suggested, that 25 per cent of this debt ought to be paid in cash without any strings to it, without any interest charge, without any loan overhead, but paid on this debt. If they would pay 25 per cent in cash on this debt you would not hear any more grumbling from these ex-service men. Many of them are fathers with wives and children in necessitous circumstances. They need food; they have mortgages on their homes in many instances; they need their money that the Government owes them to pay their mortgages off and get a means of sustenance for their wives and little children. I know the gentleman from Illinois is sorry. I hope he is ready to vote for this proposition, and I hope he will help get it out and let us pass it before Congress adjourns on March 4. [Applause.]

Mr. FRENCH. Mr. Chairman, I yield 25 minutes to the gentleman from Nebraska [Mr. SLOAN]. [Applause.]

Mr. SLOAN. Mr. Chairman and members, I desire to spend a brief time in speaking not of the discipline of this House or its membership, as was so ably done by the gentleman from New Jersey a little while ago, but I do feel that under the circumstances a portion of the membership of this House should receive a supporting voice.

For 50 years, boy and man, I have studied the Constitution of my country. In this study I have found the history of this school of patriotism here, much of the time standing preeminent. I have seen the three divisions of legislative authority bend, break, meet defeat, and be victorious. Early, as I studied, this House was the dominant legislative body of the Republic. At the same time the second legislative factor was the body at the other end of the Capitol. The third was the Executive of the Nation. I saw this House surrender its primacy to the other body. I have seen it surrender rank to the Executive of this Nation, so far as legislation was concerned.

It is a proud fact to say—and I say it not in flattery—that the absolute primacy of the House of Representatives in originating legislation, in shaping legislation, in crystallizing legislation, and bringing it into effect rests with this great body—the most respected legislative forum in this world. [Applause.]

Since last November elections, perhaps no more than in other bienniums, there have been statements and animadversions as to men and women who had submitted their claims to the favor of the people and had been rejected in November. After that rejection they were referred to with perhaps the most offensive political epithet that a malicious brain could conceive or an evil tongue express.

Just a few days ago I heard the chairman of a committee speaking kindly of the defeated Members in the language of that epithet, commiserating them on the fact of their defeat and the humiliation of their being for three months in a position humiliating in the extreme. Let me say to my colleagues here that perhaps not one of those who depart will go as lightly and with as little regret as I shall, the only regret being severance of the fine associations I have made or renewed here. So I feel I can speak for that class of 1931 as it graduates from this great institution of patriotism and say something which should be said, not for myself, but for these of whom I speak and for the House of Representatives.

You have read in your RECORD a statement from a Member of that unmentionable parliamentary body which I do not designate as the cave of the winds over in another part of the District [applause], and a record under the designation "lame ducks" the names of respectable men and



women, Members of this House, imputing to them that, because they were not to be returned to Congress, they were less solicitous for the Republic, its interests and its people, than if they had been voted a return. I feel somewhat sorry to think of the individual who made the record, or the individuals who indorsed it. They certainly can not have studied the Constitution, its making and its great purposes.

When the issue came as to whether this country should be one that should be wafted by the whim of passing national prejudice and fancy and the winds and waves of passion, or whether there should be carved out of the future a section of time when the voters, having spoken, the people of this great Republic would be secure in their rights and property for that biennium, it was agreed, and it is a part of our Constitution, that we constructed for stability and not for immediate response in this country. We were unlike the pilot that would guide his bark by the floating log or the whitened surf, instead of by the permanent landmarks and lighthouses. Other nations have taken the other course, but we had farseeing Constitution builders at the making.

We now are governed not by the verdict of November but by the oath that we took in the presence of our colleagues and under the sanction of our God, that not from November to November but from the 4th of March in the odd year to the 4th of March of the next odd year we should stand for the stability of our Nation and not its whims. [Applause.] I want to say right here, without undue emphasis or reference to what may have taken place this afternoon in lobby, gallery, and office, that it is fortunate for the Republic that we do legislate for definite periods under definite forms and definite regulations. Because there are those people in the United States who would govern by assault, by explosion, and by impulse. [Applause.] I am glad that it was not Members of this body who were perverting the Scriptures, paraphrasing the Sermon on the Mount, exciting laughter and derision, or were voicing sympathy with the reds, who were then disturbing the orderly proceedings of this House.

Mr. KNUTSON. Will the gentleman yield right there?

Mr. SLOAN. I yield.

Mr. KNUTSON. Does not the gentleman think that the founding fathers intended, in having the new Congress meet 13 months after election, that the overzealous candidates who had been elected should have an opportunity to cool off before taking their seats in this body?

Mr. SLOAN. Of course they did; and one of the greatest powers in the construction of that Constitution and its adoption, although not a member of the body, was one who believed that country to be governed best that is governed least. He believed it a good thing for two reasons: First, that they would not meet for a long time after election; and then after a session as election approached the time would be short and therefore caution and stability instead of fancy and prejudice would be the great factors in our legislation. I refer to the patron saint of my friends on this side of the aisle, Thomas Jefferson.

I have referred to the statement made by my friend, the committee chairman, who made it in the best of humor and for the finest purpose. Let me say that if we must be called the Antidæ disabled, that we ask that no crocodile tears be shed for us; we ask for no maudlin sympathy. We see our duty now rapidly coming to a close on the 4th of March and we brook no advice from the people who were elected in our stead. We wear our rights as royal robes and our manhood and womanhood as crowns. [Applause.]

I read recently in an Associated Press dispatch—I am not going to read it, but will state it from memory—that two men, individuals of another body and of opposite parties, but financed in part by the same individual, said that if it were not for defeated candidates that the drought-relief legislation which had been mooted here a short time ago would have been passed by the newly elected Members. I thank them for that compliment. Because it gave us commendation for wisdom. It gave us, in the light of the legislation as it is being perfected over yonder, and coming

over here, commendation for saving the Red Cross from destruction, depleting our Treasury, and reducing our national credit. [Applause.]

Among the list that was published there, there were six distinguished Members of this body—DICKINSON, WHITE, FORT, McCORMICK, SPROUL, and PRITCHARD—who ran for the Senate. Of course, my friends, not one of those individuals for mere personal ambition wanted to adorn those seats. They simply wanted to raise the general batting average of the body over yonder that I was speaking about. What a difference it would have made. What a wonderful uplift it would have been if they had been all successful.

Oh, yes, my friends, CRAMTON, MILLER, ELLIS, STOBBS, ELLIOTT, and several others whose departure from this House will be recalled in the years to come, when the students of the Nation look back and read their roll, will say as of old, "There were giants in those days." [Applause.] Yes, there were SPEAKS and WAINWRIGHT, heroic soldiers of two great wars.

Mr. ALLGOOD. Will the gentleman yield?

Mr. SLOAN. I yield.

Mr. ALLGOOD. Considering the change in the Constitution for election, considering the inequalities that exist between the terms of Members of Congress and members of the other body, would not the gentleman consider kindly an amendment to the Constitution extending the term of a Member of the House to four years instead of two years?

Mr. SLOAN. I believe it would be wise but not timely. The period that we must operate in is too short for this session. I can fancy few better happenings to this Government than to see my allgood friend from his great State assured of a tenure of four years instead of two.

Think of it! McCORMICK, LANGLEY—think of them as "lame ducks." Think of the chivalry, the gallantry, of the individual who put out that list for the RECORD. It seems to me that they should have at least looked up the record of the family of Cervidæ, and instead of calling these two matrons "lame ducks" called them "deer."

MEMBER (sotto voce). I did not quite catch that.

Mr. SLOAN. The deer is hard to catch. The gentleman is built more for draft than he is for speed, hence he did not catch the deer. [Laughter.]

Were I speaking of the mountain matron from Kentucky I should have called her Penelope and not a lame duck. I should say of the dashing matron from Illinois that she was Diana, the huntress, rather than a lame duck. Illinois 70 years ago gave a President to the United States, the most famous, if we use the term "lame duck," in all the history of the Republic—Abraham Lincoln. [Applause.] It lost its great opportunity when, instead of electing the first lady Senator, it traded her for a mess of pink whiskers. [Laughter.]

Of course when the term "lame duck" is used in a casual remark or an ordinary jest we have no objection. We enjoy a joke, we like humor; but when you use that term, if you must use it, as the Virginian, in Owen Wister's great book, in talking with Trampas, the gambler, said, "When you say that, smile," so if you persist in using the term "lame duck," smile. [Laughter.]

I can not conceive of any more opprobrious term—although it is in the dictionary. Because every man and woman who graces this Hall is supposed to be an individual of courage and honor. If you are going into the land of fable, why not select one wherein lies strength and speed.

The repulsive term includes all of these. That means all not reelected, whether candidates or not. Under my definition, there is not a lame duck in this class of 1931. It is either a stricken eagle or a wounded lion. [Applause.] Perhaps it would be well to reckon with us, because if any of our rights are not accorded, we know how to obtain them. If we are of the disabled sort, I call attention to the wonderful company in which we move.

Come ye shades of noble men,  
Each from his glorious grave;  
Who in victory were magnanimous,  
In defeat the bravest of the brave.



Every President defeated for reelection or not elected might be considered, for the period following November up to the 4th of March, a lame duck.

More than that, the great McKinley, a Member of this House, occupied the position now described in the epithet concerning which I speak. He went out of the House to the governorship of Ohio, and then to the Presidency of the United States. From there, at the hand of an assassin, he moved to immortality. [Applause.] Then there is Joe Cannon, the iron man; and Champ Clark, whom I loved as I loved few men on earth. They were defeated; they occupied their places and fulfilled their duties. No great human being ever experienced uninterrupted victory. He must have had his poignant sorrow, his tragedy deep and dark. They took nothing from his fame. But if he was of noble mettle they exalted his stature and added rich measure to his fame. Yea, even the present Speaker of this House at one time was in the category of defeat. But now he presides over the renewed strength and standing of this wonderful institution of which we are all proud to be a part. And the same animated factor who defeated our Republican governor and Congressman JOHNSON and myself, like Alexander, regretting that there were no other worlds to conquer, expressed regret that he had not gone back to Cincinnati to defeat our Speaker—LONGWORTH.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. SLOAN. Yes.

Mr. KNUTSON. The gentleman's State suffered from an invasion of political tapirs last fall. Will he not tell the House what influence, if any, that invasion had upon the political result in Nebraska?

Mr. SLOAN. Paraphrasing, I came not here to talk of myself; but the rather seductive method of my friend, whom I know to be a Nordic, though every time he speaks I consider him actually a Celt, induces me to say that we did suffer from an invasion. We suffered from an invasion of men who bore the Republican stamp.

Mr. KNUTSON. I thought they were tapirs.

Mr. SLOAN. If the gentleman were to ask me what they were, I would simply have to say that they were Republicans, like the man was who, when asked if he belonged to the Presbyterian Church, said, "Yes; that is the church that I stay away from." There was an invasion of that kind. Out in our country in recent years it is sometimes not so much a question of whom you run against as it is whom you run with. We make a solemn oath that we affiliate with the Democratic Party or the Republican Party, as the case may be, and in some cases the affiliation is not a boost on the back with a helping hand but is a suddenly bared stiletto applied between the ribs.

Mr. O'CONNOR of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. SLOAN. Yes.

Mr. O'CONNOR of Oklahoma. I am wondering if, at the close of the baccalaureate address, the diplomas are to be handed out to the class of 1931? [Laughter.]

Mr. SLOAN. I expect to grant the diplomas. If I have any influence, the valedictorian of the class will be the distinguished gentleman from Oklahoma. [Laughter.] It is a little peculiar out in our State. It is all right for my successor—a fine man, and I speak well of him—but the other gentleman from another body, nominally from my own party, at the expense of our eastern millionaires organized a very effective political newspaper. On the front page was his picture, and my successor's was on the back. No other national legislative candidates were there. There was a further financing of it by municipal tax money, a small portion of which I had to pay myself. It was taken in part from the treasuries of the municipalities of the State.

Mr. PATTERSON. Mr. Chairman, will the gentleman yield?

Mr. SLOAN. Yes.

Mr. PATTERSON. I thoroughly agree with the gentleman that many of the best men sometimes are defeated. The gentleman has no greater love for Abraham Lincoln than I have, or even Mr. McKinley. Does not the gentleman

think it would be timely to consider a change in the Constitution in respect to the meeting of Congress, so that we will not meet until 13 months after an election? Does the gentleman recall that when the Constitution was adopted it was very hard to get to Washington?

Mr. SLOAN. I am certainly in favor of that, and I say to the gentleman that I was the chairman of the subcommittee that drafted the constitutional amendment which you gentlemen are going to have an opportunity to vote on, and I have supported it all along. It was not the difficulty of getting to Washington that fixed the time of meeting in December. The real reason for it, and if the gentleman will read Madison and other contemporary literature of the Constitution-making time he will find it was because, being mostly farmers, they could better meet in December than in any other part of the year. The bad roads which they talk about were no worse for the Congressmen to come here in March or December than they were for the President who might be elected to come here on the 4th of March.

Mr. GARNER. Mr. Chairman, will the gentleman yield?

Mr. SLOAN. Yes.

Mr. GARNER. The gentleman said that we were going to have an opportunity to vote on this. When?

Mr. SLOAN. That is in the hands of the Rules Committee, and I am sure it will give us an opportunity, especially if the leader on the Democratic side, upon whom I lavish a great deal of admiration, would use his potent influence with that committee.

Mr. GARNER. I have already pleaded with them.

Mr. O'CONNOR of Oklahoma. Will the gentleman yield?

Mr. SLOAN. I yield.

Mr. O'CONNOR of Oklahoma. I am in favor of this amendment, of course, but I do not think the time between the adoption of the Constitution and now is material. It took much longer to get to Washington in those days, but it takes a lot longer to get anything done after you get here now; so it is about even. [Laughter and applause.]

Mr. SLOAN. I accept that in the form of an amendment to my address. I am not extensively discussing the amendment now; that is deferred for a later occasion.

Now I must hurry. Permit me to say of the class of which I am speaking, I hope we are working harder than we ever did. I want those men to turn from us, that we may conclude our work and give a good account to our constituents. But while that is going on, permit me to say of those who use the epithet—and I am speaking for a class now—if you say we are not peer to anyone elected, there or here, then I withhold the word and by the rule abide. You will learn it no doubt. Behold is it not in the book of Marmion, written by Scott, the noble bard.

Now, I am good natured in this, and if you will indulge me I will tell you a story. It is the Tramp's Toast. You may have heard it.

In the city of New York there were 14 blades of wealth, leisure, and some dissipation. They were to have a banquet. One did not come, leaving 13. They had money, station, fame, and everything, also prejudice and superstition. They said, "We can not go on with this banquet."

It was in the days of no telephone, and means of communication were meager. They tried to get somebody. Finally they sent a couple of their number down to the street to find an occupant for the vacant chair to remove the curse. They went down and looked about. It was a cold, stormy night; nobody walking up or down. In a sheltered passageway they found a man, thinly clad, cold, hungry, weak, and sick. They took him, against his protest, up to the banquet hall and gave him a seat at the banquet table.

During all that banquet, while ambrosia and nectar were served and disappeared, each, in turn, exhausted his repertoire of wit in speaking about the "guest of the evening." But, when he was filled with ambrosia and nectar and their inspiring, if not benign, influence was permeating his whole being, and after each had spoken, said to him, each in turn, "Now, we must hear from the guest of the evening." He



rose in his place. He was a university man; one of earth's brilliant derelicts. Inspired by that which he once was, he said:

Here's to you, as good as you are, and as mean as I am—  
But, mean as I am and as good as you are,  
I am as good as you are, as mean as I am.

[Laughter and applause.]

The CHAIRMAN. The time of the gentleman from Nebraska [Mr. SLOAN] has expired.

Mr. AYRES. Mr. Chairman, I yield two minutes to the gentleman from Massachusetts [Mr. CONNERY].

Mr. CONNERY. Mr. Chairman, lest there be any misunderstanding about what I am going to read, permit me to say to my good friend from Illinois [Mr. SPROUL], this is a letter from John Thomas Taylor, of the American Legion, in answer to a statement which Congressman PATMAN, Congressman RANKIN, and myself placed in the RECORD, and I think in justice to Mr. Taylor, as it is simply stating his position, denying the newspapers, the gentleman from Illinois should not object.

Mr. SPROUL of Illinois. Mr. Chairman, I do not know why the gentleman says what he does about my objecting to his reading the letter. It is entirely different from a petition or a resolution.

Mr. CONNERY. I thank the gentleman. I just wanted to have his position stated.

Mr. SPROUL of Illinois. I have never objected to any letters being read into the RECORD or placed in the RECORD without being read.

Mr. CONNERY (reading):

THE AMERICAN LEGION,  
NATIONAL LEGISLATIVE COMMITTEE,  
Washington, D. C., February 10, 1931.

MY DEAR CONGRESSMAN: In view of the joint statement of Representatives PATMAN, RANKIN, and CONNERY in yesterday's CONGRESSIONAL RECORD, I would appreciate your having the following placed in to-day's RECORD for the information of the Congress. This is a joint statement issued by National Vice Commander Neal D. Williams and myself in connection with the addresses we delivered at a Legion meeting in Boston February 8, which was erroneously reported in a certain press dispatch carried in the out-of-town newspapers of February 9.

Very sincerely yours,

JOHN THOMAS TAYLOR,  
Vice Chairman National Legislative Committee,  
The American Legion.

STATEMENT BY JOHN THOMAS TAYLOR, VICE CHAIRMAN NATIONAL LEGISLATIVE COMMITTEE, THE AMERICAN LEGION

Representative PATMAN placed in the Appendix of the CONGRESSIONAL RECORD of yesterday, February 9, a joint statement by himself, Representative RANKIN, and Representative CONNERY. This statement quotes a newspaper dispatch which attributes the following statement to me on the question of payment of adjusted-service certificates in cash:

"The proposal is not a part of the program of the American Legion; that it was something it didn't want and would not be tolerated."

The newspaper dispatch in question purports to be an account of a speech I made February 8 before an American Legion meeting at Boston. Vice Commander Neal D. Williams also addressed this meeting.

I think it only justice to the nearly 1,000,000 members of the American Legion that the Congress should know that I did not make the statement attributed to me in yesterday's CONGRESSIONAL RECORD, and I believe that the three Representatives who issued the statement will be glad to know this.

In my Boston address I reviewed the status of all of the legislative proposals now on our program before the Congress and discussed the Legion's adjusted-compensation proposal advocated by our national executive committee January 25 as a part of this program. A reasonably accurate newspaper account of what I actually said at this meeting is contained in the Boston Herald of February 9, which reads as follows:

"John Thomas Taylor, legislative agent of the Legion at Washington, was introduced by Department Commander Richard F. Paul and spoke at length on the entire Legion program.

"Our legislative job," he declared, "is the care of the people who suffered as the direct result of war service, and Congress wants to know what the Legion wants."

"The national executive committee," he said, "on January 25 interpreted the action of the Boston convention in tabling a resolution favoring the cash payment of the adjusted-service compensation as meaning that the American Legion was unwilling to consider, discuss, or initiate action in that direction. The executive committee reaffirmed that the first and major objective of the American Legion is legislation for the further relief of the disabled man and his dependents, "and will take definite exception to any interference with, or delay in, the passage of such legislation.""

"The executive committee," Taylor added, "indorsed the principle of immediate cash payment, on application, of the adjusted-service certificates, without choosing as between any of the specific bills now pending before Congress.

"Congress is going to do something about this, but your judgment is just as good as mine as to what will be done. If they are sincere they will put through a piece of legislation adequate to meet the situation, but if they are not sincere they will load it to the gunwales with everything that will make a veto certain."

"The plan for immediate cashing of the certificates he termed 'controversial legislation,' and saying that it did not originate with the American Legion, that body was wise, he said, to 'leave it in the lap of Congress'."

National Commander Ralph T. O'Neill has been seriously ill in New York for the past 10 days, although I am glad to say he is now on the road to recovery. In response to an inquiry on the Legion's adjusted compensation stand, he dictated the following from his sick bed:

"While the Legion, by the wording of the resolution adopted, is prohibited from proposing a plan for the cash payment of the adjusted-service certificates, we are sincerely interested in urging this legislation to the limit of our ability, providing same does not interfere with our regular program of legislation for the disabled."

National Vice Commander Neal D. Williams was also misquoted in a news dispatch account of his Boston speech, delivered to the same meeting which I addressed. I hope you will include his statement on this as a part of your remarks.

I will conclude by requesting the members of the Ways and Means Committee to recall my testimony before them on this subject on January 31, when I submitted them the resolution adopted by the national executive committee, and told them that this was the official attitude of the American Legion on the adjusted-compensation issue.

I will appreciate your placing this statement in the CONGRESSIONAL RECORD, so that the Congress may know the facts.

STATEMENT BY NATIONAL VICE COMMANDER NEAL D. WILLIAMS, OF THE AMERICAN LEGION

A joint statement in the CONGRESSIONAL RECORD of yesterday, February 9, referred to me in the following words:

"We are at a loss to know by what authority Taylor and National Vice Commander Neal D. Williams state that the proposal for immediate cash payment of adjusted-service certificates is not part of the program of the Legion and demands for it would not be tolerated by the American Legion."

I know that Representatives PATMAN, RANKIN, and CONNERY will be gratified to learn that I made no statement in my Boston address of February 8 which could properly be construed in the manner carried in a certain brief press dispatch account of this Legion meeting. I think the Congress is entitled to know that I did not say that the adjusted-compensation question is not a part of the Legion legislative program.

A portion of my remarks, carried in the Boston Herald of February 9, quote me correctly in substance as follows:

"As for the adjusted compensation, I am for the payment of it in some form, and I know you are for it, but I want to say to you that it is secondary. It is a popular thing to say, 'Don't you want your money now?' 'Of course, I do,' you say. But I know the class of men who make up the American Legion throughout the country, and I know the class of men you are, and if it was shown that the carrying out of any plan would prevent our disabled being taken care of I know you would say, 'The disabled first.'"

"We are on record for payment of the adjusted-service certificates, the principle of immediate cash retirement of adjusted-service certificates upon application. It is for us to handle this matter in our organization, and we are not going to tolerate anybody coming in from the outside and telling us how to handle it."

I then told of the thousands of men unable to obtain necessary hospitalization because of lack of beds, and our failure to provide pensions for widows and orphans, which is also on our legislative program.

I quoted them the adjusted compensation resolution adopted January 25 by our national executive committee, which contains the following paragraph:

"That we again declare and reaffirm as our first and major objective legislation for the further relief of the disabled man and his dependents, and will take definite exception to any interference with, or delay in, the passage of such legislation."

The American Legion will appreciate your inserting this statement in the CONGRESSIONAL RECORD, so that the Congress may be correctly informed concerning the facts.

I merely offered this because I know the House, after the statement which we issued yesterday, would like to have the reply of Mr. Taylor and Mr. Williams. We certainly had no intention of doing them an injustice and we told them in our statement that this was reported to be their statement in a Boston paper, but we did not say that they had absolutely made the statement.

Mr. FRENCH. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.



Accordingly the committee rose; and the Speaker having resumed the chair, Mr. LEHLBACH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 16969) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1932, and for other purposes, and had come to no resolution thereon.

#### FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Craven, its principal clerk, announced that the Senate insists upon its amendments to the bill (H. R. 16297) entitled "An act to amend the act entitled 'An act to provide for the construction of certain public buildings, and for other purposes,' approved May 25, 1926 (44 Stat. 630), and acts amendatory thereof," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. SWANSON, Mr. FESS, Mr. McMASTER, Mr. GOULD, and Mr. ASHURST to be the conferees on the part of the Senate.

Mr. FRENCH. Mr. Speaker, I wonder if we can not agree upon time for closing general debate upon this bill. I am going to ask that we agree upon two and a half hours of time. I have conferred with the gentleman from Kansas [Mr. AYRES], and we think that by agreeing upon that time we can bring the discussion to a close within a shorter period than if we let the time run along.

Mr. AYRES. Mr. Speaker, I will say to the gentleman from Idaho that that is perfectly satisfactory to me.

The SPEAKER. The gentleman from Idaho asks unanimous consent that general debate upon the naval appropriation bill be closed in two and a half hours, one-half to be controlled by himself and one-half by the gentleman from Kansas. Is there objection?

There was no objection.

#### MESSAGE FROM THE PRESIDENT—SECOND POLAR YEAR PROGRAM (S. DOC. NO. 270)

The SPEAKER laid before the House the following message from the President, which was read, and, with accompanying papers, referred to the Committee on Foreign Affairs and ordered printed:

*To the Congress of the United States:*

I commend to the favorable consideration of the Congress the inclosed report from the Secretary of State, to the end that legislation may be enacted authorizing an appropriation of \$30,000 for participation by the United States Government in the second Polar Year program, August 1, 1932–August 31, 1933.

HERBERT HOOVER.

THE WHITE HOUSE, February 10, 1931.

#### RESEARCH TO AND ADJUSTMENT IN AGRICULTURE

Mr. CHRISTGAU. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including an address delivered by Eric Englund, Assistant Chief of the Bureau of Agricultural Economics.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

Mr. BLANTON. Mr. Speaker, reserving the right to object, and I shall not object, I just want to call the attention of the gentleman from Illinois [Mr. SPROUL] to the fact that he refused to permit the gentleman from Texas [Mr. PATMAN] to put in resolutions adopted by American Legion posts and also for me to put such resolutions in the RECORD, but he allows addresses by assistant chiefs to go in the RECORD. I have no objection to them, but I just wanted to call his attention to that fact.

Mr. SPROUL of Illinois. That was a letter, and I have never stood on the floor of this House and objected to a letter.

Mr. BLANTON. But this is an address by an assistant chief that he is now permitting his Republican colleague to put in the RECORD without objection.

Mr. SPROUL of Illinois. I have never objected to a Member including a letter in his remarks.

Mr. BLANTON. But here the gentleman's colleague is asking to put in an address by an assistant chief, and the gentleman from Illinois is allowing him to do so. I have no objection.

Mr. SPROUL of Illinois. I did not understand the matter to which the gentleman was referring. I thought he was referring to the letter read by the gentleman from Massachusetts [Mr. CONNERY].

The SPEAKER. Is there objection?

There was no objection.

Mr. CHRISTGAU. Mr. Speaker, under leave to extend my remarks in the RECORD, I include an address delivered by Mr. Eric Englund, Assistant Chief of the Bureau of Agricultural Economics of the United States Department of Agriculture, before the Forty-fourth Annual Convention of the Association of Land Grant Colleges and Universities at Washington, D. C., on November 17, 1930.

The address is as follows:

#### OBJECTIVES OF READJUSTMENT IN AGRICULTURE

The dominant purpose of agricultural economic policy is to strengthen the material basis of the standard of living of the individual farm family by means consistent with the general public welfare. As part of such a policy a program of readjustment in agriculture aims to increase the net returns of the farm family in terms of direct satisfaction—goods and amenities—from the farm and of purchasing power obtained by sale of farm products.

This objective is individualistic; but a program of adjustment will accomplish little if it does not harmonize with the interest of individual farmers. While much may be done to promote that interest by joint effort of farmers and by public policy affecting them as a group, improvement in farm income is still largely a matter of individual effort guided by reliable information brought convincingly to the farmer by the extension service and other educational agencies. The farmer's net purchasing power depends on the difference between the price and the cost per unit of products sold multiplied by the volume of sales. Any effort directed at one of these elements alone touches only a part of the problem of increasing the net income. Even if the exclusive emphasis should be given to the important element of price, there would be danger of overlooking those factors—cost per unit and volume per farm—which are more responsive to the farmer's individual efforts.

A program for readjustment according to changing conditions in agriculture would affect all three elements of net income, but primarily cost and volume per farm. Such adjustment would mean change in the production programs and in size of farms, which, with the technique available at a given time and under prevailing competitive forces, are in harmony with the comparative advantages of various regions and localities (the term "region" refers to an area, possibly including several States, in which there is a general similarity of those basic conditions of soil, climate, topography, and situation which influence types of farming. It should not be assumed, however, that this broad definition is sufficient for purposes of specific adjustment. A single State may include two or more separate localities in each of which the essential similarities affecting types of farming may differ so widely from those of other localities as to present distinct problems of adjustment) and which, at least in the long run, are likely to reduce cost of production, increase output per family, and stabilize returns. Obviously such a program offers no short cut to agricultural prosperity but seeks to deal constructively with the individual farmer's problems in their relation to long-time considerations. If we can develop a correct grasp of long-time tendencies and aims, and can devise programs of action accordingly, we shall be able to bring to bear the power of the long lever on the problem of assisting the agricultural population to a higher level of material well-being.

Adjustment in agriculture is a continuous process, resulting from numerous forces, including technological improvements, regional and international competition, scientific discoveries, and changes in freight rates, tariffs, and consumer demand. It is a problem for research to explain these adjustments and to assist in steering their course according to some fairly definite policy, so that they will not be left to blind forces of competition. This is in harmony with economic liberalism which presupposes some degree of social direction of economic forces.

#### GENERAL RESEARCH AS BACKGROUND FOR READJUSTMENT

Research needed to aid private effort and to help formulate public policy in this field may be divided into: (1) Research on general problems applicable to all agricultural regions, and (2) research on particular problems applicable mainly to individual regions.

Research on specific problems of regional adjustment will not yield the best results unless done against a background of investigations that concern all regions. Examples of the more general fields of research are the following:

Price studies: The purpose of research in this field is to explain changes in price, to develop principles of price behavior, and to make certain deductions with respect to the probable trend of prices in the future. The importance of this field is evidenced not



only by popular interest but also by the more fundamental fact that individual farmers and business men must make price predictions with or without the aid of research. When farmers plan their planting and breeding programs on the basis of prices in the present or in the recent past, they really are predicting future prices on the implied assumption that last year's prices indicate the price they expect next year. The research workers render an important service by aiding the individual to judge better what he otherwise would have to guess, even when caution dictates that that forecasting should be limited to a clear statement of factors influencing price trends, leaving the actual prediction to the farmer's judgment.

Trends in production and consumption of farm products here and abroad: This field of research is applicable to all regions and is closely related to price analysis, especially to the long-time price trends. (With the newly established division of foreign agricultural service in the Bureau of Agricultural Economics, the Department of Agriculture will be in a much better position to furnish information on foreign competition and demand as they relate to problems confronting the farmer.) Since fundamental adjustment is largely a matter of gradual changes, it is important for farmers in any locality to know the trends at home and abroad in production and consumption, and therefore in the competition which they must face.

Demand for agricultural products is a relatively new field of statistical research. A large, if not the major, part of the explanation of recent changes in farm prices must rest on the reduction in demand here and abroad as a result of the worldwide business depression. Any adequate explanation of the course of agricultural prices in the past year brings prominently into the foreground the relation of business conditions to demand. In addition to general research in this field, it is necessary to single out certain manageable problems for intensive study. For instance, in planning their production program dairymen in the milkshed of a given industrial center would benefit by information on the relation of industrial activity to the demand for dairy products.

Recent studies have thrown light on the problem of elasticity of supply—that is, the effect of a given change in price on quantity produced. This is related partly to price studies and partly to the reorganization of farms as production units and to the possibility of expanding cultivation to new lands. Such studies are complicated by many variables, including prices of alternative crops and livestock, and cost of labor, machinery, fertilizers, etc. Since all regions are not affected similarly by a given change in price, studies of elasticity of supply should be helpful in appraising competition between regions, in addition to judging the effect of price changes on total supply.

General problems of agricultural finance: These problems, especially in their relation to money and banking in general, also are subjects for research applicable to all agricultural regions. Many questions of agricultural finance should be studied in their relation to the broader fields of money and banking. This is also true of other fields which must be studied in relation to public finance in general. Any attempt to keep research in either of these fields in separate compartments is likely to lead the investigator into a blind alley.

Public policies in relation to agriculture: Tariffs, public expenditures, and taxations are examples of research applicable to all areas. While public agencies are somewhat limited in this field, there seems to be a growing recognition of need for scientific studies and for that freedom of investigation which alone will produce impartial results. It may not be too optimistic to assume further development in this direction. In the meantime those subjects afford large scope for independent research institutions to supplement the work of public agencies.

#### RESEARCH SPECIALLY APPLICABLE TO REGIONS

The second general class of research problems, those separately applicable to individual regions, include much of the kind of work that has been in progress for many years.

Preliminary study of types of farming: Types of farming are determined by certain factors of soil, climate, topography, and location, by public land policies, by such economic forces as changing prices relationship, new technique, and changing labor costs, and even by differences in custom and in population characteristic. These kinds of results are expected from such preliminary type-of-farming studies: (a) More adequate knowledge of the forces that have made agriculture what it is in an area, and a better basis for foreseeing modifications in farming that may result from changes in technique of production, in market requirements, and in other economic forces. (b) More reliable basis for judging the possibilities and limitations of proposals for agricultural readjustment, which should be helpful not only in developing sound programs of adjustment but also in avoiding proposals for adjustments which are inconsistent with the intrinsic possibilities of a region. (c) A better guide for effective application of the results of more intensive research in farm management.

Intensive studies of groups of typical farms as individual operating units: The desirability and the possibility of adjustment depends on the income relationship of various enterprises on cost of shifting from one enterprise to another, on possibilities of reducing cost by adopting new technique or increasing the size of the operating unit, and on other factors within the individual farm business. Such studies should consider the possibilities of increasing the standard of living by noncommercial returns and incidental enterprises. This resolves itself largely into the produc-

tion of those things—chiefly food and feed—which can be used on the farm without impairing cash returns to a degree that will offset the value in the noncash items.

The value of studies designed to explain why some farmers are more successful than others may be questioned on the ground that such studies do not go far enough. But this criticism is hardly valid if it can be shown that such studies lead in the right direction and contribute new information on ways of increasing the material basis of standard of living. A few well-chosen studies showing the reasons for variations in individual success still may be justified on the ground that they have an educational value to the farm community as a whole.

Studies to improve the best present practices: In attempting by research to point the way to better results than are found even on the best farms two possibilities are suggested: First, to project the results of investigations of present practices into plans for new combinations of enterprises and new practices which promise greater returns; and, second, to arrange some form of experimentation by which projected plans may be tried under practical farm conditions and under circumstances that offer some degree of control. The latter has been attempted in a small way through cooperation with farmers, who have agreed to follow certain plans suggested by preliminary studies. This approach, however, obviously has many limitations, such as difficulties of securing significant variations from the prevailing types and practices in farming, of altering the size of operating unit, and of applying new technique.

The means of gathering and interpreting economic information have been enlarged greatly, until we are literally gathering data for the farmer from the four corners of the earth. Progress in this field by the experiment stations and the Department of Agriculture is a source of justifiable pride. But this very progress has brought out more boldly the problem of application of this information to the attainment of our objective—higher standard of living.

Experimentation to ascertain the most profitable organization and size of farms in the light of new technique and new competitive forces may be a practical way of applying and testing economic information for the purpose of reducing costs and increasing net returns. Whether "economic experiment stations" under public support and control would be practical is itself experimental. It would be necessary to solve the difficult problem of putting a publicly supported business experiment on a basis that would admit of judging results from a strictly commercial point of view. Some valid form of differentiation between subsidized operations and operations that carry their own weight would be necessary in order to judge accurately the superiority of certain combinations of enterprises and of recommended farm practices and technique. The results would not and should not inspire public confidence unless the experiments were conducted in a manner that would preclude a reasonable basis for the practical farmer to say, "I could do just as well on my farm if my methods were backed with public money." While wrestling with these problems of public experimentation it would be well to recognize that private experiments in regional adjustment are in progress in various places. The results may be more far-reaching than generally realized.

Regional problems in farm finance: Here is a research opportunity to throw light on capital requirements for maximum efficiency in production, the place of borrowed capital in farming, and the various factors affecting the credit standing of borrowers. Studies confined largely to farm credit institutions are helpful, but we need more emphasis on the place of credit in farming. An answer to the question as to whether it pays a farmer to borrow depends upon numerous factors in his farm business. Credit needs vary with the business capacity of individual farmers, with type of farming, and with numerous other factors. These must be more fully understood before judging the adequacy of existing institutions.

Every credit institution in the long run must face the risks inherent in the business it would finance. Studies of risks in agriculture in various regions are important not only to aid in determining credit policy but also to help explain differences in rate of interest and difficulties of securing funds. The problem of reducing risk is so closely interwoven with other economic and technological problems in farming that complete separation is out of the question.

Land tenure and utilization: Land tenure and its relation to the problems of regional adjustment also needs further study. It is increasingly apparent that in these regions where the machine process of production has expanded most rapidly in recent years, land was originally acquired in units too small for economic use, especially with the new technique. Hence consolidation of these units has taken place rapidly, resulting in fewer and larger farms. Studies should be made of tenure in relation to the possibility of securing the most advantageous combination of enterprises and optimum size of operating units. While the optimum size varies with the intrinsic characteristics of the locality and with technological development, it also varies with the managerial ability of individual farmers. It is no more probable that every man in farming could manage successfully a large farm with up-to-date technique than could every man in industry be a "captain of industry."

In some areas new technique in farming has made adjustment in the old areas imperative and demonstrated, among other things, that in agriculture as in industry there are wide differences in the possibility of the mechanization of production. The new technique has brought about severe competition for the old areas



where a relative fixity of farming systems and natural conditions are less favorable to mechanization and large-scale operations. In any plan for readjustment, distinction must be made between individual and collective economy. Although there is no doubt of a common interest existing between individual producers, it would be futile to approach problems of adjustment as if farming were a collective economy under a single controlling will.

Technological research: The value of technological research "to produce two blades of grass where one grew before" often has been questioned in recent years, on the ground that the second blade depressed the price of both. It seems certain, however, that technological research in plant and animal life will be fully as important for agricultural improvement in the future as in the past. Without technological research the possibilities of regional readjustment would be seriously limited. For instance, the agronomic possibilities of crop production in any area must be ascertained before recommendations for change in cropping systems can be made with confidence. The possibilities of combating plant and animal diseases also must be studied. Stabilization of production—"orderly production" as a basis for "orderly marketing," of which we have heard so much—rests in no small degree on dependable performance of plant and animal life. Regional adjustment, while emphasizing the economic idea of comparative advantages, is largely dependent on technological research.

#### READJUSTMENT AND TOTAL OUTPUT IN AGRICULTURE

Although an effective program for readjustment in agriculture according to comparative advantages of the various regions would not revolutionize agriculture in a year or two, it would mean more efficient production in terms of the relation of physical output of farm products to input of labor and capital. This brings us to the relation of increased efficiency to total supply and to price.

A few years ago a distinguished member of this body said: "Until we know the influence of efficiency on supply, it is futile for us to recommend efficiency as a cure for agricultural depression." (Sidney B. Haskell, director Massachusetts Agricultural Experiment Station, in discussing a paper, Economic Research as a Basis for Agricultural Adjustments and Production Programs, by H. R. Tolley and J. W. Tapp, before the New England Research Council, Boston, October 15, 1926.) This challenge can not be ignored. It must be considered in connection with any long-time plan for readjustment according to comparative advantage, or any other plan for greater efficiency in farming, and must take into account long-time tendencies and broad problems of public interest.

The developments of new technique replacing a substantial amount of hand labor in agriculture is similar in principle to those improvements in manufacturing which brought the industrial era. In considering the economic significance of the machine technique in farming, we must distinguish between the short run and the long run and how each may affect the public interest. In the short run these improvements cause maladjustments and individual hardship to those subjected to the economic pressure that accompanies rapid change in technique. The result in agriculture is similar in principle to technological unemployment in industry. But these short-run considerations should not be permitted to hide the long-time significance of those improvements.

Mechanization in agriculture as in industry brings individual hardship, which public policy should seek to minimize, but it would be most unwise to erect barriers against the forces of progress which these improvements represent. Our problem is to aid the orderly advancement of these forces so as to realize for farmers and for society generally the fundamental advantages which are inherent in them. In attempting to do this we must take into account the conflict of interest between the consumer and the producer of farm products.

If greater efficiency should result in such an increased total supply that the farmer would lose in the form of lower prices all that he gained by reduced costs, the consumer would get all and the farmer none of the advantages of technical progress. Broad public interest in the long run requires that the producer and the consumer should share these profits. This calls for a clear differentiation of aims. Fundamentally the aim of economic policy is not the welfare of industry or of agriculture apart from the human beings in the factory and on the farm but rather the material welfare of human beings whether in agriculture or in other pursuits. If we accept this as a fair statement of economic objectives, it matters little whether the individual finds his maximum well-being in agriculture or in some other walk of life. It follows that in the long run we need not fear permanently burdensome overproduction in agriculture, provided we keep open the way of adjustment among economic groups.

When one pursuit—agriculture, for instance—becomes so efficient in terms of direct labor required in production that fewer human beings are needed, it is desirable from individual as well as social standpoints that movement of population should be facilitated to aid in equalizing advantages among economic groups.

#### LONG-TIME POSSIBILITIES OF PREVENTING OVERPRODUCTION

Population movement among economic groups: The first step toward preventing efficiency in farming from causing permanent depression in agriculture is to maintain that public attitude and to improve those education advantages which develop the maximum case of population movement as between occupations. It

should be quite possible to accomplish in a country like ours blessed with a comparative absence of such artificial barriers as rigidity of social stratification and fixity of occupational status, and where educational opportunity for all is a powerful social ideal. It is realized that farmers who have their all invested in farm property and who have become fixed in their occupation seldom can change to another occupation without serious loss. But we have, and shall continue to have, large human resources represented by the younger generation, not yet fixed occupationally. To the degree that our educational system prepares young people for those pursuits that may offer better advantages, they will constitute the adjustable element in our population.

It does not seem probable, moreover, that any program of regional adjustment will plunge agriculture into general efficiency so rapidly that population movement will lag far behind the economic urge for such movement. This hope is based on the optimistic assumption that society will find a way to avoid these violent disruptions of economic relationships that result from war and its companion evil of drastic financial inflation.

Higher "supply price" of the human factor: Higher supply price of the human factor in agriculture also will act as a further means of preventing efficiency in farming from becoming burdensome to farmers. By "supply price" of the human factor is meant a reward sufficient to induce men and women to remain in or to go into farming. The effectiveness of this factor depends largely on superior alternative opportunities, the existence of which is inferred if and when it is assumed that farmers generally are on a lower level of economic opportunity than the rest of the population.

Insistent demand for a higher standard of living, coupled with educational facilities and social opportunities for intergroup movements of population, is a powerful long-time preventative against the permanent depression of any economic group below the level of other groups. We can well afford to welcome a healthy discontent among farmers especially in the more unprofitable agricultural regions. By healthy discontent is meant, not grumbling in a state of inactivity but insistence upon an adequate reward together with a determination to find a way of achieving it. This attitude of mind is the opposite of that which makes for passive acceptance of a low standard of living. It is the antidote to the fondest fears of those who predict a "peasant status" for American farmers.

Possibility of more leisure: Another safeguard against overproduction as a permanent result of efficiency is the possibility of greater leisure as a reward of efficiency. Here, too, an analogy may be found in industry, although we should not push the analogy too far, because the proprietary interest and the labor interest are generally united in farming but separated in industry. In industry the shorter working day may have been adopted as a result of collective bargaining of labor, but it was made possible by increased efficiency of labor resulting from technological improvements and superior industrial organization. Is it too much to hope that recent progress toward less drudgery in farming foreshadows still less drudgery and more leisure as a result of technological progress and greater effectiveness of human labor?

Withdrawal from the poorest land: A third possibility of minimizing the danger of overproduction as a result of efficiency in farming lies in public-land policies, by which it may be possible to prevent expansion of the agricultural area and to facilitate an orderly retreat of farming from those areas which are too poor to support an adequate standard of living. While farmers on much of the so-called submarginal lands are not contributing a very large part of the total commercial supply of farm products they certainly constitute an important element in the unsatisfactory economic status of agriculture. Whether these farmers—for instance the independent mountaineers—would have one whit added to their happiness should they go to better agricultural land or into industry, involves such complicated and unsettled philosophical questions as the "aim of life" and the "meaning of progress." In the economic sense, however, progress means increasing wants and opportunities to satisfy them, a justifiable definition of progress when dealing with the bread-and-butter question of net income. Hence, for the present we may assume that an individual is better off when he has more material satisfactions in terms of food, shelter, clothes, education, automobiles, and radios than when he has a minimum of the necessities of life.

#### CONCLUSIONS

It may seem optimistic, but, it is hoped, not unreasonable to assume that greater efficiency in agriculture through regional readjustments need not be viewed as a potential cause of permanent agricultural depression. This belief rests on the expectation that, barring violent economic disruption by war and drastic inflation, effective adjustment among economic groups is possible, and that, except in contingencies affecting particular crops, we need not apply too literally the theory that to produce less is necessarily the way to get more of the good things of life, a theory which, if applied in the long run, might lead to the unhappy conclusion that if everybody produced less we should all enjoy more.

We are confronted with dynamic forces continuously creating problems of readjustment between regions with different kinds of advantages in production and among economic groups. To the degree that these adjustments are effective we may approximate an equality of opportunity for human beings in all groups and yet in the long run fully avail ourselves of those opportunities for a higher standard of material well-being which are afforded by the productive power of natural advantages and technological progress.



## LEAVE OF ABSENCE

By unanimous consent leave of absence was granted to—  
Mr. STOBBS (at the request of Mr. LUCE), indefinitely, on account of illness.

Mr. BEEDY, for one week, on account of business.

## BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President for his approval bills of the House of the following titles:

H. R. 5627. An act relating to naturalization of certain aliens; and

H. R. 10166. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works at Philadelphia, Pa., and for other purposes.

## ADJOURNMENT

Mr. FRENCH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 24 minutes p. m.) the House adjourned until to-morrow, Wednesday, February 11, 1931, at 12 o'clock noon.

## COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Wednesday, February 11, 1931, as reported to the floor leader by clerks of the several committees:

## COMMITTEE ON APPROPRIATIONS

(10 a. m.)

Second deficiency bill.

## COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

(10 a. m.)

To amend subsection (a) of section 1 of an act entitled "An act for the acquisition, establishment, and development of the George Washington Memorial Parkway along the Potomac from Mount Vernon and Fort Washington to the Great Falls, and to provide for the acquisition of lands in the District of Columbia and the States of Maryland and Virginia requisite to the comprehensive park, parkway, and playground system of the National Capital," approved May 29, 1930 (H. R. 16218).

To authorize the construction on Government Island, Alameda, Calif., of buildings required by the Bureau of Public Roads and Forest Service of the Department of Agriculture and the Coast Guard of the Treasury Department (H. R. 16947).

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

824. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1931 for the Navy Department, in the sum of \$150,000 (H. Doc. No. 747); to the Committee on Appropriations and ordered to be printed.

825. A letter from the Secretary of War, transmitting report from the Chief of Engineers, United States Army, on preliminary examination of Willamette River, Oreg., between Oregon City and Portland, including the locks at Oregon City (H. Doc. No. 748); to the Committee on Rivers and Harbors and ordered to be printed.

826. A letter from the Secretary of State, transmitting a letter from the Secretary General of the International Parliamentary Conference on Commerce, extending an invitation to the Congress of the United States to be represented at the seventeenth plenary assembly of the above-mentioned organization which is to take place in the House of Representatives at Prague, beginning May 26, 1931; to the Committee on Foreign Affairs.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. CRAIL: Committee on Foreign Affairs. H. J. Res. 494. A joint resolution authorizing the establishment and

maintenance of a United States passport bureau at Los Angeles, Calif.; without amendment (Rept. No. 2562). Referred to the Committee of the Whole House on the state of the Union.

Mr. REECE: Committee on Military Affairs. H. R. 16590. A bill to permit the Army to participate at the Yorktown sesquicentennial celebration; with amendment (Rept. No. 2566). Referred to the Committee of the Whole House on the state of the Union.

Mr. KNUTSON: Committee on Insular Affairs. H. R. 15360. A bill to provide for the filling of certain vacancies in the Senate and House of Representatives of Porto Rico; with amendment (Rept. No. 2567). Referred to the House Calendar.

## REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. RANSLEY: Committee on Military Affairs. H. R. 11743. A bill for the relief of William G. Burress; without amendment (Rept. No. 2561). Referred to the Committee of the Whole House.

Mr. WAINWRIGHT: Committee on Military Affairs. H. R. 2659. A bill placing Cadet Adrian Van Leeuwen on the retired list of the Army; with amendment (Rept. No. 2563). Referred to the Committee of the Whole House.

Mrs. KAHN: Committee on Military Affairs. H. R. 5049. A bill for the relief of Frank Fisher; without amendment (Rept. No. 2564). Referred to the Committee of the Whole House.

Mr. McSWAIN: Committee on Military Affairs. H. R. 14475. A bill for the relief of Orville E. Clark; without amendment (Rept. No. 2565). Referred to the Committee of the Whole House.

## CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on Claims was discharged from the consideration of the bill (H. R. 16394) for the relief of M. Brown and S. H. Brown for losses sustained on schooner *Ninnetta M. Porcella*, and the same was referred to the Committee on War Claims.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CONNERY: A bill (H. R. 17001) to amend section 5 of the World War veterans' act, 1924, as amended; to the Committee on World War Veterans' Legislation.

By Mr. IRWIN: A bill (H. R. 17002) to authorize construction and to authorize appropriation for construction at Scott Field, Belleville, Ill.; to the Committee on Military Affairs.

By Mr. JOHNSON of South Dakota: A bill (H. R. 17003) to amend the World War veterans' act, 1924, as amended, by providing for allowance for widows and children of veterans of the World War; to the Committee on World War Veterans' Legislation.

By Mr. JOHNSON of Washington: A bill (H. R. 17004) to expedite the deportation of certain aliens, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. CRAMTON: A bill (H. R. 17005) to provide for the establishment of the Isle Royale National Park, in the State of Michigan, and for other purposes; to the Committee on the Public Lands.

By Mr. HOWARD: A bill (H. R. 17006) for the protection of restricted Indian landowners; to the Committee on Indian Affairs.

By Mr. JAMES of Michigan: A bill (H. R. 17007) to incorporate the American Gold Star Mothers; to the Committee on the Judiciary.

By Mr. LEAVITT (departmental request): A bill (H. R. 17008) to add certain lands to the Upper Mississippi River Wild Life and Fish Refuge; to the Committee on Indian Affairs.



By Mr. LUCE: A bill (H. R. 17009) to create a commission to study the hospitalizing of war veterans; to the Committee on World War Veterans' Legislation.

By Mr. CARTER of California: A bill (H. R. 17010) to amend subsection (d) of section 11 of the merchant marine act of June 5, 1920, as amended by section 301 of the merchant marine act of May 22, 1928; to the Committee on the Merchant Marine and Fisheries.

By Mr. BRITTEN: Resolution (H. Res. 353) for the consideration of Senate bill 550 entitled "An act to regulate the distribution and promotion of commissioned officers of the line of the Navy, and for other purposes"; to the Committee on Rules.

By Mrs. OWEN: Resolution (H. Res. 354) to print the manuscript entitled "Survey of the Seminole Indians of Florida," by Roy Nash, as a House document; to the Committee on Printing.

By Mr. ZIHLMAN: Joint resolution (H. J. Res. 495) to authorize the Commissioners of the District of Columbia to close upper Water Street between Twenty-second and Twenty-third Streets; to the Committee on the District of Columbia.

By Mr. GARBER of Oklahoma: Joint resolution (H. J. Res. 496) to regulate commerce between the United States and foreign countries in respect of petroleum and its products, and for other purposes; to the Committee on Ways and Means.

#### MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

By Mr. CULLEN: Concurrent resolution of the Legislature of the State of New York, urging the Congress of the United States to authorize the United States Shipping Board to sell to the Port of New York Authority the properties in the port of New York district commonly known as the Hoboken Pier properties; to the Committee on the Merchant Marine and Fisheries.

By Mr. HASTINGS: Memorial of the State Legislature of the State of Oklahoma, memorializing the Congress of the United States to pass Senate bills 2350 and 2351 at an early date; to the Committee on Agriculture.

By Mr. FITZPATRICK: Concurrent resolution of the Legislature of the State of New York, urging the Congress of the United States of America to authorize the United States Shipping Board to sell to the Port of New York Authority the properties in the port of New York district commonly known as the Hoboken Pier properties; to the Committee on the Merchant Marine and Fisheries.

By Mrs. RUTH PRATT: Memorial of the State Legislature of the State of New York, memorializing the Congress of the United States to authorize the Shipping Board of the United States to sell to the Port of New York Authority the properties in the port of New York district commonly known as the Hoboken Pier properties; to the Committee on the Merchant Marine and Fisheries.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRAND of Ohio: A bill (H. R. 17011) granting an increase of pension to Nancy M. Roberts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17012) granting an increase of pension to Mary C. Allen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17013) granting an increase of pension to Margaret Janes; to the Committee on Invalid Pensions.

By Mr. CAMPBELL of Iowa: A bill (H. R. 17014) granting an increase of pension to Emily A. McLeran; to the Committee on Invalid Pensions.

By Mr. CRAIL: A bill (H. R. 17015) granting an increase of pension to Jessie F. Loughridge; to the Committee on Invalid Pensions.

By Mr. HOGG of West Virginia: A bill (H. R. 17016) granting a pension to William S. Maxwell; to the Committee on Invalid Pensions.

By Mr. IRWIN: A bill (H. R. 17017) for the relief of William Louis Pitthan; to the Committee on Claims.

By Mr. JOHNSTON of Missouri: A bill (H. R. 17018) granting an increase of pension to Matilda Murphy; to the Committee on Invalid Pensions.

By Mrs. KAHN: A bill (H. R. 17019) for the relief of Dave Price; to the Committee on Military Affairs.

Also, a bill (H. R. 17020) for the relief of Jacob Meyers; to the Committee on Claims.

Also, a bill (H. R. 17021) for the relief of Arthur H. Christern; to the Committee on Claims.

By Mr. KURTZ: A bill (H. R. 17022) granting an increase of pension to Lizzie S. Feight; to the Committee on Invalid Pensions.

By Mr. LAMBERTSON: A bill (H. R. 17023) for the relief of Stanton and Jones; to the Committee on War Claims.

By Mrs. LANGLEY: A bill (H. R. 17024) granting a pension to Nerva Johnson; to the Committee on Pensions.

By Mr. REILLY: A bill (H. R. 17025) granting a pension to Marie T. Meyer; to the Committee on Invalid Pensions.

By Mr. STALKER: A bill (H. R. 17026) granting an increase of pension to William J. Ryan; to the Committee on Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

9257. Petition of Workers' Unemployment Insurance Delegation, Washington, D. C., signed by the delegates petitioning Congress to urge unemployment insurance; to the Committee on the Judiciary.

9258. By Mr. ADKINS: Petition of ex-service men of Champaign, Ill., requesting immediate cash payment at full face value of adjusted-compensation certificates as created by section 702 of the World War adjusted compensation act of 1924; to the Committee on Ways and Means.

9259. Also, petition of ex-service men of Charleston, Ill., requesting immediate cash payment at full face value of adjusted-compensation certificates as created by section 702 of the World War adjusted compensation act of 1924; to the Committee on Ways and Means.

9260. By Mr. ALDRICH: Joint resolution of the city council of Providence, R. I., favoring immediate payment of face value of adjusted-compensation certificates to veterans of World War; to the Committee on Ways and Means.

9261. Also, protest of Mercy Circle, No. 154, Daughters of Isabella, East Greenwich, R. I., against passage of Senate bill 4582; to the Committee on the Judiciary.

9262. By Mr. BAIRD: Petition of Seneca County Holstein Club of Ohio, protesting against use of palm oil in oleo without a tax thereon; to the Committee on Agriculture.

9263. By Mr. BOHN: Petition of Trades and Labor Council of Escanaba, Mich., that the length, width, and weight of motor busses and trucks should be regulated and limited, and probable trailers should be prohibited; their operation and rates should be as strictly regulated as those of railways; and they should be prohibited to make any discrimination in their rates that they please to get business while railways are prohibited from making such discrimination; to the Committee on Interstate and Foreign Commerce.

9264. By Mr. CAMPBELL of Iowa: Petition of 12 citizens of Gaza, Iowa, urging support of Sparks-Capper amendment excluding approximately 7,500,000 unnaturalized aliens from count of population in the congressional reapportionment; to the Committee on the Judiciary.

9265. By Mr. CANFIELD: Petition of Albert E. Lette, of 728 Roxboro Place NW., Washington, D. C., together with 60 other World War veterans of Washington, D. C., respectfully petitioning Congress to pay the veterans the full cash value of their adjusted-service certificates; to the Committee on Ways and Means.

9266. By Mr. CLANCY: Petition of citizens of Detroit, Mich., urging the passage of legislation for payment of the face value of the adjusted-service certificates to soldiers of the World War; to the Committee on Ways and Means.



9267. By Mr. CONDON: Petition of Amos J. Masse and several other World War veterans from Rhode Island, urging legislation looking toward the immediate payment of the adjusted-compensation certificates at their face value; to the Committee on Ways and Means.

9268. Also, petition of Arthur Beaulieu and several other World War veterans from Rhode Island, urging legislation looking toward the immediate payment of the adjusted-compensation certificates at full face value; to the Committee on Ways and Means.

9269. Also, petition of the city council of the city of Providence, R. I., urging legislation looking toward the immediate payment of the adjusted-compensation certificates at their full face value; to the Committee on Ways and Means.

9270. Also, petition of Stanley Glinka and several other World War veterans from Rhode Island, urging legislation looking toward the immediate payment of the adjusted-compensation certificates at full face value; to the Committee on Ways and Means.

9271. By Mr. CROWTHER: Petitions of Woman's Christian Temperance Union, of Johnstown; Woman's Christian Temperance Union, of Amsterdam; and Methodist Episcopal Church, of Scotia, N. Y., urging enactment of the Grant Hudson motion picture bill, H. R. 9986; to the Committee on Interstate and Foreign Commerce.

9272. By Mr. CULLEN: Petition of citizens of Brooklyn, N. Y., urging the immediate cash payment at full face value of adjusted-compensation certificates as created by section 702 of the World War adjusted compensation act of 1924; to the Committee on Ways and Means.

9273. Also, petition of the officers and general staff of the Military Order of the World War at their meeting at national headquarters in Washington, D. C., urging Congress to take immediate steps to protect the interests of labor and economic interests of this country, placing an embargo on importation of goods produced by forced and convict labor; to the Committee on Ways and Means.

9274. Also, petition from residents of the fourth congressional district of New York, urging the prompt passage of House bill 7884 providing for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

9275. By Mr. DeROUEN: Resolution adopted by American Legion Post, No. 45, Opelousas, La., urging the Congress of the United States to pass a bill providing for the immediate cash payment of the adjusted-service certificates to the veterans of the World War; to the Committee on Ways and Means.

9276. By Mr. DOUTRICH: Petition of members of the Centenary Methodist Church, Lebanon, Pa., favoring House Joint Resolution No. 356, providing for an amendment to the United States Constitution excluding unnaturalized aliens when making apportionment for congressional districts; to the Committee on the Judiciary.

9277. Also, petition of members of Earl E. Aurand Post, No. 1086, Veterans of Foreign Wars, Harrisburg, Pa., urging immediate cash payment at full face value of adjusted-service certificates; to the Committee on Ways and Means.

9278. Also, petition of C. E. Eisenacher and other residents of Harrisburg, Pa., urging the immediate cash payment at full face value of adjusted-service certificates; to the Committee on Ways and Means.

9279. Also, petition of Laurence J. Salinger and other residents of Steelton, Pa., urging the immediate cash payment at full face value of adjusted-service certificates; to the Committee on Ways and Means.

9280. Also, petition of residents of Harrisburg, Wormleysburg, Lemoyne, New Cumberland, Steelton, and Penbrook, Pa., urging immediate cash payment at full face value of adjusted-service certificates; to the Committee on Ways and Means.

9281. By Mr. ESTEP: Petition of Arch C. Bailey and 38 other citizens of Pittsburgh, Pa., urging immediate cash pay-

ment at full face value of adjusted-compensation service certificates; to the Committee on Ways and Means.

9282. Also, petition of Frank Rafferty and 38 other citizens of Pittsburgh, Pa., urging immediate cash payment at full face value of adjusted-compensation service certificates; to the Committee on Ways and Means.

9283. By Mr. FENN: Petition of World War veterans of Hartford, Conn., favoring the payment of the adjusted-compensation certificates; to the Committee on Ways and Means.

9284. Also, petition of World War veterans of Bristol, Conn., favoring the payment of the adjusted-compensation certificates; to the Committee on Ways and Means.

9285. Also, petition of five citizens of the first congressional district of Connecticut, favoring the passage of House bill 7884, for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

9286. By Mr. FITZGERALD: Petition of Wilbur B. Clark and 36 other veterans of the National Military Home, Dayton, Ohio, praying for immediate passage of an act to pay in cash the World War adjusted-service certificates; to the Committee on Ways and Means.

9287. By Mr. FITZPATRICK: Petition of a number of residents of Yonkers, N. Y., urging the immediate cash payment of the World War veterans' adjusted-service certificates; to the Committee on Ways and Means.

9288. By Mr. GARBER of Oklahoma: Petition of Woodward Chamber of Commerce, indorsing House bill 14447; to the Committee on Interstate and Foreign Commerce.

9289. Also, petition of Richmond Chamber of Commerce, indorsing House bill 14447; to the Committee on Interstate and Foreign Commerce.

9290. Also, petition of Chamber of Commerce of the State of New York, indorsing 24-hour quarantine service at the port of New York; to the Committee on Interstate and Foreign Commerce.

9291. Also, petition of American Association for Labor Legislation, indorsing Senate bill 3060; to the Committee on Labor.

9292. Also, petition of District Lodge, No. 44, International Association of Machinists, indorsing Senate bill 4750; to the Committee on Naval Affairs.

9293. Also, petition of Washington Board of Trade, indorsing House bill 14447; to the Committee on Interstate and Foreign Commerce.

9294. By Mr. HALE: Petition of 31 registered voters of the first congressional district of New Hampshire (forwarded by New England Anti-Vivisection Society), for early consideration and passage of House bill 7884 without qualification or amendment; to the Committee on the District of Columbia.

9295. By Mr. HOOPER: Petition of residents of Kalamazoo, Mich., urging Congress to pass House bill 7884 for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

9296. Also, petition of residents of Battle Creek, Mich., in support of an amendment to the Constitution excluding unnaturalized aliens from the count of population for apportionment of congressional districts; to the Committee on the Judiciary.

9297. Also, resolution of Joseph B. Westnedge Post, No. 36, of the American Legion, Kalamazoo, Mich., in favor of payment of the adjusted-compensation certificates in a lump sum; to the Committee on Ways and Means.

9298. By Mr. MORTON D. HULL: Petition of John J. O'Hara and others, urging immediate payment to veterans of the face value of their adjusted compensation; to the Committee on Ways and Means.

9299. By Mr. McCLINTOCK of Ohio: Petition of 66 citizens of Stark County, Ohio, favoring immediate cash payment at full face value of the adjusted-compensation certificates; to the Committee on Ways and Means.

9300. By Mr. NELSON of Missouri: Petition of number of citizens of Jefferson City, Mo., asking for immediate



cash payment at full face value of adjusted-service certificates; to the Committee on Ways and Means.

9301. By Mrs. NORTON: Petition of Vivisection Investigation League, of Tenafly, N. J., and others, in favor of House bill 7884, against the vivisection of dogs; to the Committee on the District of Columbia.

9302. By Mr. O'CONNOR of New York: Concurrent resolution of the Legislature of the State of New York, authorizing the United States Shipping Board to sell to the Port of New York Authority the properties in the port of New York district commonly known as the Hoboken Pier properties; to the Committee on the Merchant Marine and Fisheries.

9303. By Mr. O'CONNOR of Oklahoma: Petition of Forrest L. Krep and other veterans, of Bartlesville, Okla., requesting immediate payment of the adjusted-service certificates of World War veterans; to the Committee on Ways and Means.

9304. By Mr. REED of New York: Petition of Forestville (N. Y.) Woman's Christian Temperance Union indorsing House bill 9986; to the Committee on Interstate and Foreign Commerce.

9305. By Mr. REID of Illinois: Petition of residents of the District of Columbia urging the passage of House bill 7884 to exempt dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

9306. By Mr. REILLY: Petition signed by veterans of the recent World War residents of the sixth congressional district of Pennsylvania, urging legislation looking toward the immediate payment of the adjusted-compensation certificates; to the Committee on Ways and Means.

9307. By Mr. ROBINSON: Petition signed by L. R. Schroeder, of 820 Bertch Avenue, Waterloo, and 38 other citizens of Black Hawk County, Iowa, urging the cash payment of adjusted-compensation (bonus) certificates at full face value of adjusted-compensation certificates as created by section 702 of the World War adjusted compensation act of 1924; to the Committee on Ways and Means.

9308. Also, petition signed by John W. Robinson, 628 Allen Street, Waterloo, Black Hawk County, and 38 other citizens of Waterloo, Iowa, urging the cash payment of adjusted-compensation (bonus) certificates at full face value of adjusted-compensation certificates as created by section 702 of the World War adjusted compensation act of 1924; to the Committee on Ways and Means.

9309. Also, petition signed by K. J. Farrell, of 610 Sumner Street, Waterloo, Black Hawk County, and 38 other citizens of Waterloo, Iowa, urging the cash payment of adjusted-compensation (bonus) certificates at full face value of adjusted-compensation certificates as created by section 702 of the World War adjusted compensation act of 1924; to the Committee on Ways and Means.

9310. Also, petition signed by George F. Keister and 42 citizens of Goldfield, Iowa, urging the adoption of the Sparks-Capper stop-alien representation amendment, House Joint Resolution No. 356, excluding about 7,500,000 unnaturalized aliens from the count of the population of the Nation for apportionment of congressional districts among the States; to the Committee on the Judiciary.

9311. By Mr. SELVIG: Petition of Minnesota State Agricultural Society at their annual meeting, urging enactment of legislation to levy a 10-cent tax on oleomargarine colored in any manner whatsoever; to the Committee on Agriculture.

9312. Also, petition of Bagley Cooperative Creamery, Bagley, Minn., 400 members, urging passage of the Brigham bill, H. R. 15934, placing a fixed charge of 10 cents a pound on oleomargarine colored to resemble butter; to the Committee on Agriculture.

9313. Also, petition of American Legion Post, No. 304, Gonsvick, Minn., urging full cash payment of all adjusted-compensation insurance certificates at an early date; to the Committee on Ways and Means.

9314. By Mr. SHREVE: Petition of Jessie M. K. Gifford and a number of other residents of Erie, Pa., asking for the passage of House Joint Resolution 356 providing for an amendment to the United States Constitution excluding the

approximately 7,500,000 unnaturalized aliens from the count of the population of the Nation for the apportionment of congressional districts among the States; to the Committee on the Judiciary.

9315. Also, petition of C. L. Irons and 34 other residents of Linesville, Crawford County; Mrs. B. W. Washburn and 24 other citizens of Erie; and Dorothy McIntyre and other citizens of Union City, Erie County, Pa.; urging the passage of the Sparks-Capper amendment to the Constitution, House Joint Resolution 356; to the Committee on the Judiciary.

9316. By Mr. SMITH of West Virginia: Petition of A. Scallise and other citizens of Beckley, W. Va., in behalf of immediate cash payment at full face value of adjusted-compensation certificates; to the Committee on Ways and Means.

9317. By Mr. SNOW: Petition of Carrie S. Peakes, of Milo, Me., and others, urging enactment of legislation prohibiting the use of dogs for vivisection purposes in the District of Columbia; to the Committee on the District of Columbia.

9318. By Mr. SPARKS: Petition of local institute of the Woman's Christian Temperance Union, of Morland, Kans., urging Federal supervision of motion pictures as provided in the Grant Hudson motion picture bill, H. R. 9986; to the Committee on Interstate and Foreign Commerce.

9319. Also, petition of the Woman's Home Missionary Society of the Methodist Episcopal Church, of Winona, Kans., for the Federal supervision of motion pictures as provided in the Grant Hudson motion picture bill, H. R. 9986; to the Committee on Interstate and Foreign Commerce.

9320. By Mr. SPROUL of Illinois: Petition of 38 residents of the city of Chicago, praying for cash payment of adjusted-compensation certificates; to the Committee on Ways and Means.

9321. By Mr. STRONG of Pennsylvania: Petition of clergymen of Homer City, Pa., favoring the proposed Sparks-Capper amendment to the Constitution to exclude unnaturalized aliens from the count of population for apportionment of congressional districts; to the Committee on the Judiciary.

9322. Also, petition of Presbyterian Church and Sunday School, of Falls Creek, Pa., in favor of proposed Sparks-Capper amendment to the Constitution to exclude unnaturalized aliens from the count of population for apportionment of congressional districts; to the Committee on the Judiciary.

9323. By Mr. SULLIVAN of Pennsylvania: Petition of Mary D. McGinnis, as chairman of the Tabernacle Society of the Pittsburgh Council of Catholic Women, protesting Senate bill 4582, amending the tariff act and Criminal Code; to the Committee on the Judiciary.

9324. By Mr. SWANSON: Petition of members of Helmer Reyelt Post, American Legion, Harlan, Iowa, for immediate payment of adjusted compensation; to the Committee on Ways and Means.

9325. By Mr. SWING: Petition of citizens of California, petitioning the President and Congress of the United States in behalf of immediate cash payment at full face value of adjusted-compensation certificates as created by section 702 of the World War adjusted compensation act of 1924; to the Committee on Ways and Means.

9326. Also, petition of citizens of California, petitioning the President and Congress of the United States in behalf of immediate cash payment at full face value of the adjusted-compensation certificates; to the Committee on Ways and Means.

9327. Also, petition of citizens of California, expressing sincere and active interest in passage of House bill 7884, for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

9328. Also, petition of Catholic Women's Council, Ladies' Auxiliary Ancient Order of Hibernians, Young Ladies' Institute, Catholic Daughters of America, Queen's Daughters, Catholic Order of Foresters, Ladies' Catholic Benevolent



Society, all of San Diego, Calif., protesting the passage of Senate bill 4582; to the Committee on the Judiciary.

9329. By Mr. TARVER: Petition of 40 citizens of Dade County, Ga., asking immediate cash payment of adjusted-service certificates; to the Committee on Ways and Means.

9330. By Mr. WYANT: Petition of 56 citizens of Scottdale, Westmoreland County, Pa., urging favorable action on Sparks-Capper amendment eliminating 7,500,000 unnaturalized aliens from count in proposed congressional reapportionment; to the Committee on the Judiciary.

9331. Also, petition of 10 citizens of Westmoreland County urging support of Sparks-Capper amendment eliminating approximately 7,500,000 unnaturalized aliens from count

in proposed congressional reapportionment; to the Committee on the Judiciary.

9332. Also, petition of 26 members of the Latrobe Methodist Episcopal Church, Latrobe, Pa., urging support of proposed Sparks-Capper amendment eliminating approximately 7,500,000 unnaturalized aliens from count in congressional reapportionment; to the Committee on the Judiciary.

9333. Also, petition of citizens of Scottdale, Westmoreland County, Pa., urging favorable consideration of Sparks-Capper amendment eliminating approximately 7,500,000 aliens from count in proposed congressional reapportionment; to the Committee on the Judiciary.